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IRELAND
UNDER THE
COMMONWEALTH

BEING A SELECTION OF DOCUMENTS RELATING TO THE GOVERNMENT OF IRELAND
FROM 1651 TO 1659

EDITED, WITH HISTORICAL INTRODUCTION AND NOTES
BY
ROBERT DUNLOP, M.A.
Lecturer in Irish History
Author of "Life of Daniel O'Connell," etc.

VOL. I

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PREFACE

THE documents printed in these two volumes form part of a collection I made many years ago, when I had it in mind to write a history of the Commonwealth in Ireland. That intention was never realised for several reasons; but chiefly because I felt that the knowledge I possessed of Irish history was insufficient to enable me to deal with the subject adequately. At the time I was of opinion that the view taken by Prendergast in his well-known book—*The Cromwellian Settlement of Ireland*—was not an entirely impartial one. I thought it possible to present the Cromwellian policy in a more favourable light than either he or Carte, with his royalist predilections, had done. My position was that taken up by Cromwell himself—viz. that the conquest and confiscation of Ireland was the divine retribution for the horrid and unprovoked massacre by the Irish Catholics of the English and Scottish settlers in Ireland in the first year of the Rebellion. In this spirit I made these transcripts, and nothing that I read in them tended to alter that view. From the Records of the Commonwealth I turned to a study of the Depositions relating to the Massacres. It was then that I first began to experience an uncomfortable feeling that my evidence was not so strong as I would have liked it to be. True the Depositions were very explicit and apparently incontrovertible; but I was living in Dublin at a time when the power of the Land League was at its height, and I could not help asking what value depositions taken by a body of Orange magistrates as to nationalist outrages were likely to possess for an impartial estimate of the state of Ireland during the government of Earl Spencer. Was the state of affairs in 1642 more favourable for an impartial inquiry than it was in 1882? Were the seven dispossessed clergymen of the Established Church, with Dr Henry Jones (for whom I had ceased to feel much respect) at their head, more likely to measure out equal justice to Catholic insurgents than a commission composed entirely of Orange magistrates to

Catholic nationalists? If not, what value could these Depositions have for the historian?

It was not, however, this doubt alone, which led me to throw over the Depositions as historical evidence, but the fact that had come to light during my study of the period, that it was not on them that the confiscation of the land of Ireland by the Long Parliament was based. Considering all the talk about the Depositions as evidence, it was startling enough to find that, so far as I could gather, the Long Parliament had no cognisance of their existence. In the circumstances the only conclusion I could come to was that the Rebellion in itself was regarded by the Long Parliament as a sufficient ground for the sale of Ireland. The question then arose—if the Rebellion and Cromwellian Settlement were to be regarded in the light of cause and effect, to what cause or set of causes—*i.e.* grievances (for grievances I supposed there must have been)—was the Rebellion itself due? Here I was confronted by two views: the one represented by Temple, Borlase, Hume and the older school of historians attributing the Rebellion to Roman Catholic intrigues; the other represented by the late Dr Gardiner, who seemed inclined to regard the indignation aroused by the agrarian policy pursued by Elizabeth and James I. as the real cause of the Rebellion. My respect for Dr Gardiner induced me to adopt his view, and I thereupon entered on a detailed study of the history of the English plantations in Ireland in the sixteenth and seventeenth centuries. But the more carefully I investigated the subject the less satisfied I became with the view that the agrarian policy pursued by Elizabeth and her successors was at the bottom of the mischief. I turned to the theory advocated by the older school of historians and sought to discover in the religious policy pursued by the English Government in Ireland since the Reformation and the counter action of the Church of Rome the cause of the Rebellion. But here again the results of my inquiry furnished me with no adequate proof of the theory I was trying to establish. On the contrary, I was compelled to admit that just as in the case of their agrarian grievances those of the Irish in matters touching their religion were quite insufficient to account for the Rebellion.

Meanwhile I had become aware of the existence in Irish history of the continuity of certain ideas, which I can only describe as a feeling of antagonism between Ireland and England, or rather between the English in Ireland and the English in England. This antagonism, which is to be traced from the days of Henry II down to our own, seemed to me to be grounded in the claim made by England to regard Ireland as a subject country and the refusal of Ireland on the other hand to admit that claim. In studying the attitude of the gentry of the Pale during the hundred years that elapsed between 1541 and 1641, I was struck by the close resemblance it presented to that of the English colonists in Ireland in the eighteenth century. Indeed, between the attitude of the Irish Parliament in 1640 and in 1780 I could see no vital distinction. The actors alone were different. In the one case they were Catholics, in the other Protestants; but the demand for legislative independence was the same in both cases. Could it be that the situation in 1641 differed from that in 1781 merely owing to the refusal of England to yield to the gentry of the Pale what she afterwards conceded to the Volunteers? Was the cause of the Rebellion to be found in the constitutional conflict between England and Ireland? In following up this train of inquiry I was happy to find that the religious and agrarian aspects of the subject fell into line as part of the general problem. In other words, the Rebellion presented itself to me as an episode in the great European struggle between Protestantism and Roman Catholicism, in which England and Ireland found themselves in opposite camps, accentuated by the special difference between them in the matter of the legislative independence claimed by Ireland and denied by England. But even conceding that I had interpreted the situation correctly it still remained to be explained why the Rebellion broke out precisely at the moment it did. That the conflict between England and Ireland was bound to end in an appeal to the sword I fully believe, but that the crash came precisely when it did was largely an accident. Nothing, in fact, is better attested than that the Rebellion took everybody by surprise. Historians have racked their brains to account for it, but to no purpose. It was a bolt from the blue. Coming when it did, it was, however, a terrible misfortune for the gentry of the Pale; but to attempt to excuse them, after the manner of Carte, as being the victims of a Puritan plot, is quite a mistake. They saw or thought they saw their chance of achieving legislative independence and grasped it. It was a square fight between Ireland and England, and England won. In the Historical Introduction I have endeavoured to explain more fully my views on this subject.

As to the documents here printed, it is necessary to remark: First, they are only a selection drawn from a number of volumes, known as the Commonwealth Records, preserved in the Public Record Office, Dublin. Readers of Prendergast will remember how he rediscovered these volumes, covered with the dust of more than a century, in the Bermingham Tower of Dublin Castle. Since then they have been cleaned and removed to their present resting-place. A Report of their contents drawn up by the late Sir Bernard Burke will be found in the 2nd Appendix to the Fourteenth Report of the Deputy Keeper of Public Records in Ireland. But though only a selection, the documents here printed comprise, with the exception of a number of petitions possessing only a limited interest, a fairly complete record of all that is likely to prove of value to the student of the period. The selection was made for my own purpose, but that purpose was to get together every scrap of information bearing on the government of Ireland by the Commonwealth regardless of whether it told for or against that government. My transcripts were found useful by the late Dr S. R. Gardiner and the present Regius Professor of Modern History at Oxford, and it is because, in the absence of any official calendar, they are likely to prove so to others that they are now published. Without them it is impossible to understand the history of the period. A few other documents drawn from MSS. in the Library of Trinity College, Dublin, have been inserted with the object of elucidating some points, especially the proposed transplantation of the Ulster Scots; but with these exceptions the documents are confined to those preserved in the Public Record Office.

Secondly, as regards what is called the Domestic Correspondence—*i.e.* the letters written by the Irish Commissioners (afterwards the Lord Deputy and Council) to the Government in England—they are not the original letters sent, but the official copies taken of them at the time. Most of these letters have been lost or destroyed, but some of them have found their way into the Tanner Collection in the Bodleian Library. A comparison of these with the official copies shows that those actually sent are not always verbally identical with the copies, and that in some cases they are fuller (*cf.* pp. 182 and 196); but the differences are so small that they do not affect the value of the copies, which, in the absence of the letters actually sent, are entitled to rank as originals. As to whether the copies were made from the letters, or *vice versa* the letters from the copies, I confess to being in doubt. The explanation, drawn from slight indications, I have to offer is as follows:—At first—*i.e.* till the beginning of the collection on 1 July 1651—no copy was made of the letters sent. At that date the Commissioners appointed a secretary. He, to judge from the notebooks of Col. Thomas Herbert, made some rough notes; from these notes he wrote the letters in the copy books; these copies were read to the Commissioners, fair transcripts made of them, which were signed by the Commissioners and then transmitted. Some of the letters here printed have already been published, but, with the exception of those in Prof. Firth's *Ludlow*, they are, where I have compared them, unreliable; those published in the newspapers particularly so (*cf.* p. 50). For this reason, and also because I wished to make this collection as perfect as possible, I have not hesitated to reprint them. Three documents of the greatest importance I have omitted because of their length and because they are easily accessible elsewhere. These are the Act of Settlement of 12 August 1652, the Act of Satisfaction of 26 September 1653, and the Declaration of 14 October 1653. As for the Orders, which form quite half of the collection, they will be found nowhere else, except occasionally as excerpts in Prendergast's book. Prendergast, as Gardiner has remarked, was more intent on describing the woes of the Irish than in trying to give a complete view of the government of the Commonwealth, and his references are not always to be relied on. In order to give the student the chance of testing his accuracy I have preserved the double marking of the volumes in the Record Office.

Thirdly, in modernising the spelling of the documents I know that I have exposed myself to criticism which I admit is justifiable. I can only urge in excuse that when I made the transcripts I had no intention of publishing them. Moreover, if the purist objects perhaps the ordinary reader will approve. As for place-names and names of persons I have retained the original form where any doubt could arise; but to print Catherlo for Carlow, Tredagh for Drogheda and the like I thought unnecessary. As for the notes, they are not intended to be exhaustive; but as regards them and other matters I have spared no pains to make these volumes as useful to the student and I hope to the future historian of the period as possible.

Death has removed many whom it would have been a duty as well as a pleasure to thank for the kindly interest they displayed in my work and for help rendered by them in days gone by. But I cannot bring this already too lengthy preface to a close without expressing my deep gratitude to my teacher and friend, the Master of Peterhouse, Dr A. W. Ward, to whose constant encouragement I owe it that, at a time when Irish history was less regarded than it is at present, I did not lose faith in myself and seek some other sphere of labour. To my friend Professor Firth, whose kindness has followed me at all turns of my career, this book practically owes its being. Its faults and shortcomings are all my own. To my friend Professor Tout I am especially indebted not only for rendering the publication of it (as Chairman of the Publications Committee) possible, but also for the kindly interest he has taken in it and his unwearied efforts to improve its utility. To Miss Gertrude Thrift of the Public Record Office, Dublin, my best thanks are due for the extreme care with which she revised the proofs and thereby enabled me to set before the reader a thoroughly reliable text; as also to Mr H. M. M‘Kechnie, Secretary to the University Publications Committee, for the assistance he has given me in passing the book through the press.

ROBERT DUNLOP.

MANCHESTER, *April* 1913.

SYNOPSIS OF HISTORICAL INTRODUCTION

1541-1651

I

IRELAND UNDER THE TUDORS

1541-1603

THE Cromwellian Settlement a natural consequence of the policy pursued by England towards Ireland since the Reformation—The reasons for the adoption of that policy to be found in the conflict between Protestantism and Roman Catholicism—How the Irish problem was regarded by Henry VIII—His policy of "peaceable ways"—How far successful—The reasons of its ultimate failure—Inability of the Irish to keep the peace—An example in proof—History of the clan O'Carroll in the sixteenth century—An alternative policy considered—Henry's reasons for adopting a "peaceable ways" policy—Its failure not immediately apparent—Disturbances following his death in Offaly and Leix—Edward VI intends a continuation of Henry's policy—A proposal to plant the disturbed districts—The proposal accepted by Government—Terms offered to the planters regarded as unsatisfactory by them—Vacillation of Government—Protests of the Pale—Scheme of plantation resumed—Opposition of the O'Mores and O'Conors—Situation of affairs at Elizabeth's accession—Her desire to let things drift—Her policy regulated by her purse—Military resources of the Crown in Elizabeth's reign—(1) The "risings-out"—Cost of same chiefly borne by the gentry of the Pale—Objections to the system—Tendency to commute personal service for money payments—(2) The standing army—How maintained—Revenue of the Crown in Elizabeth's reign—(1) Crown Rents—(2) Customs duties—Why so small—Restrictions on trade—Politico-economical reasons for the same—Effect of the restrictions on the trade of the country—Import of wine a profitable source of revenue—Expenditure—(1) Civil—(2) Military—Payment of the standing army—What the Elizabethan wars in Ireland cost England—Elizabeth's efforts to increase her revenue—(1) Cess—Cess an indirect way of taxing the country—Spenser's account of cess and its drawbacks—Objections taken by the gentry of the Pale to the system—Sussex fails to appreciate them—Suggests that the agitation against cess is to establish an Irish Government—Origin of an Irish as distinguished from an English Interest—Parallel between the sixteenth and eighteenth centuries—The controversy becomes acuter under Sir Henry Sidney. The gentry of the Pale appeal to Elizabeth—They are reprimanded for questioning the prerogative of the Crown—A compromise arranged—Regarded as unsatisfactory by Sir John Perrot—His unsuccessful attempt to substitute a land tax—Cess gradually abandoned—(2) Plantations—Regarded as a means of settling the country and thus adding to the revenue of the Crown—Effect of the plantation of Leix and Offaly—Elizabeth meditates a plantation in Ulster after Shane O'Neill's death—Interest of Englishmen aroused in the matter—Sir Peter Carew revives an old claim to large scopes of land in Leinster and Munster—The encouragement shown him by Government affects the relations between the latter and the gentry of the Pale—The indignation of the gentry of the Pale finds expression in Parliament—Formation of a Parliamentary Opposition—Sir Edmund Butler reprimanded by Sidney for his share in the agitation—His suspicious behaviour—Is proclaimed a traitor—Ormonde intervenes to effect a compromise—Elizabeth's intention to plant Ulster frustrated—Private undertakings equally unsuccessful. The lesson deduced from these failures—Elaborate attempt to plant Munster—The scheme only partially successful—Colonisation policy abandoned by Elizabeth—The settlement of Monaghan—The settlement regarded by O'Neill as an encroachment on his rights—A principal cause of his rebellion—The settlement of Ireland complicated by differences of religion—The Irish Catholics at first under no religious disabilities—Official character of the Reformation in Ireland—Absence of penal legislation a sign of indifference rather than of toleration—A lost opportunity—The situation taken advantage of by the Papacy—

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HISTORICAL INTRODUCTION

I

IRELAND UNDER THE TUDORS

1541-1603

THE Cromwellian Settlement of Ireland, as it is called if not quite accurately yet with sufficient approach to correctness to enable us to retain the phrase, was the last act in the drama of which the first act was the rebellion that broke out on 23 October 1641. But the rebellion itself was in turn merely the result of causes which had their origin in the Irish policy of Elizabeth and her immediate successor James I. That policy has a threefold aspect—a constitutional, an agrarian, and a religious. But it is important to bear in mind that the conditions of that policy, whether we judge it favourably or unfavourably, were determined by circumstances over which Elizabeth and James had no control—viz. by the relations first, of England to Ireland, and secondly, of England to Europe—the former dating from the first invasion under Henry II, the latter from the accession of England to the Protestant league of Europe.

The appearance of England on the political stage of Europe as a Protestant power necessarily led to a radical change in her attitude towards the sister island. For it was clear enough to English statesmen that the former attitude of indifference, which had been excusable so long as the condition of affairs created by the donation of Adrian IV subsisted, was entirely out of place when England and the Papacy found themselves confronting each other as mortal enemies. The situation had escaped the notice neither of Henry VIII nor of his astute opponent Paul III. Ireland was undeniably the weak spot in England's armour. For one thing, however, Henry had the advantage of being in possession, and the complete failure of the first Jesuit enterprise did not promise well for the success of Paul's plan of obtaining a separate foothold in the island. All the same there could be little doubt, provided England remained constant to the course she had adopted, that the attack would be renewed. In the meantime Henry did not neglect the opportunity afforded him of trying to put his house in order. Could he induce the Irish to accept the new order of things, and to consent to recognise him as the supreme head of the Church and State the danger might be regarded as averted, and Ireland be knitted to England in a firm alliance by the bonds of a common religion and a common polity. There was to be no compulsion. The Irish were to be persuaded that good government and civility, as these were understood in England, were desirable acquisitions for a country so long the prey of civil dissensions and barbarous customs. The rest would follow of itself in due time.

When Henry died it seemed as if a considerable stride had been made in this direction. Of the favourable attitude of the Anglo-Irish gentry, the inhabitants of the large seaport towns, and the farmers of the Pale there was no question. Their very existence depended on a stop being put to the state of disorder that prevailed and a barrier being placed to the encroachments of the "mere" Irish and their allies the "King's rebels," as the Hibernicised descendants of the Anglo-Norman invaders were styled. They had long clamoured for English intervention to put an end to the exhausting wars along the marches, and the "black-rents" they were compelled to pay in order to secure an uncertain immunity from the attacks of their Irish and "degenerate" English neighbours. Now that Henry had responded to their appeal and had intervened to restore order there could be no question of their gratitude. Whether indeed the restoration of order would tend so entirely, as they expected, to their own material advantage remained to be seen. The future had strange surprises in store for them. For the nonce, however, they were satisfied.

As for the acquiescence of the "mere" Irish in an arrangement, the significance of which they hardly realised, a good deal depended on accident. In one respect, that of religion, there seemed little cause for anxiety. Certainly the Papacy had hitherto done little to show itself more deserving of their affection than had the Crown itself. Their one desire was to be left alone. This was the weak point in the arrangement. No government, bent on reforming the country according to its own ideas of what constituted order and civility, could possibly maintain an attitude of passive indifference in regard to customs which kept the country in a continual state of uproar. It is easy enough now to see that Irishmen would have lost nothing by the surrender of an equivocal independence bordering on anarchy. The difficulty was to make them listen to reason and induce them to abandon a mode of life which prevented Ireland taking her proper place among the nations of Europe. The elements of discord were inherent in the clan system. Theoretically the designation, during the lifetime of the chief, of an heir-apparent, in the person of the tanist, offered a guarantee for a peaceable accession at his decease. Practically the death of a chief was too often the occasion for a free fight among the opposing candidates. The history of every clan in Ireland furnishes instances of such contested elections. One case may suffice for illustration.

In 1489 Shane O'Carroll, lord of Ely O'Carroll, a small district lying in the very heart of Ireland and shired in 1576 as part of King's County, died. He left three sons—Mulrony, Owny Carragh, and Donough. Mulrony, being "the most esteemed captain in the land,"[1] succeeded him and died in 1532. By Celtic usage Mulrony ought to have been succeeded by either Owny or Donough; but he had an illegitimate son "which he best loveth,"[2] called Ferganainm, and on his death Ferganainm, or as the English called him Ferdinand, contrived to get himself elected chief of the clan to the exclusion of his uncles. According to the Irish annalists "many evils resulted to the country in consequence"[3] of this irregular election, not the least serious being the murder of Donough's son, William Maol, by Teige Caech, the son of Ferganainm. Naturally of course Ferganainm's uncle Owny had objected to the election, and despite the assistance rendered to Ferganainm by his father-in-law, Gerald earl of Kildare, he managed to get himself chosen O'Carroll "in opposition to Ferganainm, in consequence of which internal dissensions arose in Ely."[4] What induced Shane's third son Donough to interfere is not clear; but in 1536 he raised a party on his own account, and having defeated Ferganainm and his own brother Owny, he "deprived both of the lordship."[1] Next year, however, he died or was murdered and Ferganainm recovered his position, only to be killed himself in 1541 by Donough's son Teige.[2] Thereupon Ferganainm's son Teige Caech, the murderer of William Maol, got himself elected chief. Teige was an enterprising man, and in order to prove himself worthy of his position made war on his Irish neighbours and the English. In 1548 he burned the town and monastery of Nenagh and caused great havoc in the Pale.[3] All the same Government, with the object of putting an end to these disturbances, consented to recognise him as head of the clan, and in 1552 he was created baron of Ely.[4] Next year, however, he was killed by Donough's son Calvagh, who seized the chieftaincy. But his murder was speedily avenged by his half-brother, William Odhar, who after slaying Calvagh and his brother Teige stepped himself into the position of chief,[5] and in order to demonstrate his legitimacy was soon at hot wars with his neighbours and the English of the Pale.[6] Having satisfied Celtic custom in this respect, he came to terms with Government, was recognised as lord of Ely and the succession secured to his illegitimate sons Shane and Calvagh.[7] But the feud between him and the younger branch of the family survived. Owny was dead, so were Donough and his three sons; but Donough had married an O'Conor Faly and the O'Conors now took up the quarrel. One day in 1581 a party of them fell in with William Odhar, and having murdered him with every expression of hatred, they threw his body to the wolves and ravens.[8] William's son Shane succeeded. Next year he was murdered by his cousin Mulrony, the son of Teige Caech. The murder was speedily avenged by Shane's brother Calvagh, called Sir Charles by the English, who slew Mulrony and became himself in turn lord of Ely O'Carroll; but in 1600 he too was murdered "by some petty gentlemen of the O'Carrolls and O'Meaghers."[9]

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[1] *State Papers*, Hen. VIII, ii, p. 36.

[2] *Ib.* ii, p. 79.

[3] *Annals of the Four Masters*, p. 1409.

[4] *Ib.* p. 1417.

Such in brief is the story of the clan O'Carroll in the sixteenth century as recorded by the Irish themselves. Now, if it is borne in mind that what was occurring in Ely O'Carroll was going on at the same time in almost every clan in Ireland—among the O'Neills of Tyrone, the O'Donnells of Tyrconnel, the Burkes of Connaught, the O'Briens of Thomond, the Fitzgeralds of Desmond, the O'Conors of Offaly, the O'Tooles of Wicklow—it does not require much searching to discover wherein the chief obstacles to the " reformation " of the country, as conceived by Henry VIII, lay. To suppose that the Irish could be persuaded to abandon their customs, especially one so dear and even essential to every chief as that of displaying, at least once in his lifetime, his prowess in the field, was an idea, which if it did credit to Henry's heart, showed an utter ignorance on his part of the conditions of Irish life.

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[1] *Annals of the Four Masters*, p. 1437. [2] *Ib.* p. 1461. [3] *Ib.* p. 1513.

[4] *Cal. of Fiants*, Hen. VIII, 411; *ib.* Ed. VI, 1146.

[5] *Four Masters*, p. 1535.

[6] *Ib.* pp. 1567, 1573-1575, with O'Donovan's note, "Every Irish chieftain thought it his duty to perform a predatory expedition as soon after his inauguration as possible, and this was called his sluaigheadh ceannais feadhna": lit. military expedition of (or qualifying for) captaincy.

[7] *Cal. of Fiants*, Phil. and Mary, 132; *ib.* Eliz. 31.

[8] *Four Masters*, p. 1755. [9] *Ib.* p. 2179.

It is a theory born of modern ideas that the proper policy to have been pursued at this time by English statesmen would have been to develop Ireland along the lines of its own native civilisation. But quite apart from the fact that such a view could never have suggested itself to a Tudor statesman, whose scheme of politics found expression in the formula, *cuius regio eius religio*, and all that *religio* implied, it must be asked whether there was anything in the state of Ireland at the time of Henry's intervention to warrant the supposition that such a course of action was possible. Everybody will admit that could the English have refrained from meddling in Ireland, or could the Irish have accommodated themselves to the conditions of Henry's policy, the whole subsequent course of Irish history would have been different from what it is. But as neither of these alternatives was possible we may reasonably decline to fix the blame for what happened on the one side or the other. That the subjugation of Ireland, which despite all fine phrases was the object he had before him, was likely to prove an almost impossible task, had been with Henry the main reason for the adoption of a policy of " peaceable ways and amiable persuasions." The fact that the suppression of Silken Thomas's rebellion had cost him £50,000, at a time when the total revenue drawn by him from Ireland amounted to barely one-tenth of that sum, was sufficient to teach him prudence in regard to military operations, and to convince him of the truth of Sir Anthony St Leger's warning that although it might be easy enough to overrun Ireland it was quite another thing to subjugate it, for "if it be gotten the one day it is lost the next."[1]

The failure of Henry's policy was, as we have remarked, not immediately apparent. When he died in 1547 the political horizon was, so far as Ireland was concerned, apparently clear of clouds. The policy of "amiable persuasions" seemed to have been successful, and there was every reason, in St Leger's opinion, that if it could only be continued for another generation the problem would be solved and Ireland won for ever. But appearances were deceptive. Hardly had Henry passed away when symptoms of disorder began to manifest themselves on the edge of the Pale amongst the O'Conors of Offaly. Brian O'Conor, the head of the clan, and the son-in-law of Gerald, ninth earl of Kildare, was in some sense the representative of the traditions of the House of Kildare, in so far as those traditions meant the concentration of all political power in the hands of the head of that House. The fidelity with which he had clung to the desperate fortunes of his unfortunate brother-in-law "Silken Thomas," and the protection extended by him to the infant heir to the honours of the family fully entitled him to that position. His one great object was to force Henry to consent to the restoration of the latter. Unfortunately the jealousy of his own brother Cahir and the attempt made by Cahir to oust him from the chieftaincy had greatly hampered his endeavours in this respect, and in the end he had been forced to come to terms with Government. All the same he never abandoned his purpose, and when the news of Henry's death reached him he and his neighbour Gillapatrick O'More appealed to arms.

Their rebellion was suppressed and when St Leger left Ireland in September 1548 he took O'Conor and O'More with him as hostages for the peace of their countries. In the discussions[2] that followed at the Council Board as to the course to be pursued in regard to their territories of Leix and Offaly; St Leger expressed himself in favour of a continuation of Henry's policy of treating Irishmen with "more humanity, lest they, by extremity, should adhere to other foreign princes"; and accordingly in pursuance of his suggestions the Lord Deputy, Sir Edward Bellingham, was authorised to transmit the names of such of the O'Mores and O'Conors "as he thought good to have restored, with the certainty of the lands to be restored" to them.[1] At the same time instructions were sent to the Surveyor-General, Walter Cowley, to cause a survey to be made of the territories in question.[2] The intention of Government was evidently to treat the O'Mores and O'Conors of Leix and Offaly as Henry had treated the O'Tooles of Fercullen, and to assign to such of them as would submit estates of inheritance in the lands occupied by them. But just at this moment Gillapatrick O'More died, and before any step had been taken in the direction planned a proposal reached Government on the part of a number of Anglo-Irish gentlemen of the Pale,[3] offering to guarantee the peace of the disturbed districts by effecting a plantation in Leix, Irry, and Slievemargy, commonly called the O'Mores' country.

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[1] As to the difficulties which have beset every attempt to conquer Ireland the reader would do well to consult Richey, *Short Hist. of the Irish People*, p. 109. Richey's remarks, though referring to the Danish inroads, have a direct bearing on military operations in the sixteenth and seventeenth centuries.

[2] "Some also hold opinion that it is good, for avoiding of charge, to let the realm of Ireland remain under the governance of the lords of the same, as it was before the going thither of Sir William Skeffington, Deputy; and some others that it were good with the sword to destroy all the inhabitants of that realm for their wickedness, and to inhabit the land with new: which are two extremities, for by the first the King's Majesty shall farther the detestable and stinking abominations of murder, adultery, rapine, destruction, and all other wickedness

The proposal, coming from the quarter it did, gave a new turn to affairs. Hitherto in the discussions that had taken place as to the advisability of adopting a policy of plantation in regard to Ireland, the difficulty of transporting English colonists thither, and the expense of the undertaking had been considered a sufficient reason for its rejection.[4] But, if the gentry of the Pale were willing to undertake the business on their own account, there seemed no reason why the attempt should not be made.

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that by such licence they use. . . . And by the second way great numbers of faithful subjects which the King hath there, for the offence of few evil disposed persons, should be destroyed, which were ungodly and much pity." Cusack to Northumberland, 1553. *Cal. Carew MSS.*, p. 246.

[1] *State Papers*, Irel., Edward VI, ii, 46.

[2] *Ib.* ii, 60.

[3] *Ib.* ii, 69. Among the names attached to the "offer" are those of Aylmer, Luttrell, Travers, Barnewall, Lyons, Peppard, Sutton, Fitzmaurice, Sarswell, Wyse, Hovenden, Colclough, Cosby, Eustace, Brereton, Bish and Smyth.

[4] "And as touching O'Conor's country . . . there be two ways to obtain this country, to make it his Grace's strength. One is to reward this gentleman which now hath the governance thereof with some other convenient thing, and inhabit the same with Englishmen. And, if his Grace should think this way too much chargeable, the other is to make this man denizen, and create him baron of Offaly" etc. Council to Cromwell, 1537, *State Papers*, Hen. VIII, ii, p. 444; and cf. *ib.* iii, pp. 148, 176.

Accordingly in 1551 some forty leases, for twenty-one years at a moderate rent, were made to gentlemen applying for the same. In each case the lessee was bound to reside on the lands assigned him, to allow no Irishman of the name of O'More or O'Conor to dwell on them, to provide sufficient weapons for his own defence and the service of the Crown, and to contribute his due share of all cesses levied for the maintenance of the garrisons at Fort Protector in Leix and The Dingan in Offaly.[1] The conditions were, however, regarded as unsatisfactory by the undertakers. It was pointed out "that the said countries being upon a frontier, and many of the freeholders yet living, some in exile and some in extreme poverty," who were sure to use every means to obstruct the plantation, no one would sustain the cost and danger of residing there "without estate of inhertance." Moved by these considerations Government consented that the grants should be made in freehold.

But before anything had been done in the matter the whole project of plantation was brought to a standstill by Mary's decision to liberate O'Conor. The news of his release, and the restoration at the same time of Gerald Fitzgerald to the earldom of Kildare caused intense excitement in Ireland. The Irish were jubilant[2]; government officials beyond measure indignant. Nothing in the opinion of the latter was calculated to have a worse effect on the situation than this unpremeditated step. For one thing the cost of maintaining six or seven hundred men on constant garrison duty in the occupied districts was a heavy strain on the slender resources of the country, even if the inhabitants, as Cusack admitted, did not grudge the burden, "but like obedient subjects paid the same without exclamation."[3] Their remonstrances were not without their effect on Mary, and after a short spell of liberty O'Conor was rearrested on a charge of fomenting fresh disturbances, and removed for safety to Dublin Castle, where he afterwards died.

O'Conor being out of the way the plantation scheme was revived, and in 1556 the earl of Sussex was authorised to reduce Leix and Offaly to shire ground, and, providing he found the

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[1] *Cal. of Fiants*, Ed. VI, 724 and 732.

[2] *Four Masters*, p. 1531.

[3] *Cal. Carew MSS.*, 1553, p. 241; and cf. *Cal. State Papers*, Irel., Mary, p. 136, where it is stated that the suppression of the O'Mores and O'Conors had cost Henry VIII and Edward VI £100.000.

O'Mores and O'Conors willing to submit, to proceed to a plantation of their countries on the lines of a threefold division—viz. two-thirds of the lands, lying along the Pale, to be assigned to English planters, " as well such as be born in England as Ireland " ; the remaining one-third, in the direction of the Shannon, to be divided amongst the Irish, with the option of choosing which of themselves were to be made freeholders. All grants were to be in free socage at an annual rent to the Crown of twopence an acre, and no Irishman was to receive more than 240 acres. Provided they agreed to the terms, their old chief Brian O'Conor was to be restored " to end the rest of his days in peace among his children and kin." [1]

At first it seemed as if the O'Mores and O'Conors would consent to the arrangement proposed ; but, as the scope of the plan became clearer to them, their attitude changed to one of downright opposition. When Parliament, which was to sanction the scheme met in June 1557, and actually passed an Act (3 and 4 Phil. and Mary, c. 8) entitling the Crown to Leix and Offaly, and creating those countries shireland as Queen's County and King's County respectively, the O'Mores and O'Conors were again in open rebellion. What was to be done ? The outlook was not promising. To purchase peace by abandoning the plantation, as Primate Dowdall [2] suggested, was merely to hand Ireland over to the Irish and perpetuate the state of affairs which had led to Henry's intervention in the first place. On the other hand to proceed with the plantation was impossible until the O'Mores and O'Conors had been suppressed, and their suppression meant expensive military operations, which the Crown could ill afford. To make matters worse things were beginning to grow doubtful in Ulster, owing to the appearance of Shane O'Neill on the scene, and the steady influx of Scottish settlers in the Glynnes of Antrim.

Such was the general situation of affairs in Ireland when Elizabeth succeeded to the throne. The lines of her Irish policy were already determined for her; but she took time to consider the question in all its bearings. Ireland, she said, summing up her views in the Instructions given by her to Sussex in July 1559, could not be brought to obedience otherwise than by extending of force upon some stubborn sort, and planting some parts there with English; but being left by her sister in wars both with France and Scotland, and her revenue wasted, besides huge debts left for her to pay in many places, she was compelled to rely on the wisdom, fidelity, and love of her Deputy there to keep her charges down to the lowest limit, and to preserve her realm in quiet, without innovation of anything prejudicial to her estate. To come to the chief particulars. She was willing to maintain an army of 1512 soldiers—viz. 326 horsemen, 884 footmen, and 300 kerne, with two porters. For their payment she would assign £1500 monthly; but she hoped that this charge might be reduced to £1000. As for the northern parts, where the daily influx of the Scots was likely to be of dangerous consequence, the best remedy would of course be to plant them with English subjects; but as this could not at the time be conveniently done the Deputy was to order his proceedings so as not to prejudice the adoption of such a plan at a more convenient season. As for Shane O'Neill it would be well "specially for the preferment of the person legitimate in blood, and next for that he is thereof in quiet possession" to concede his claim to succeed his father.[1]

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[1] *Cotton MSS.*, Titus, B. xi, ff. 464-467.

[2] " The good advice which my Lord Primate writeth of . . . would tend to this end, that the Queen's Majesty, without respect of her honour, the charge that the King her brother was at, or her own great charges, should give into the hands of the O'Mores and O'Conors the two countries long usurped by them . . . and then make one of this country birth Deputy, and all should be well." Lord Justice and Council to Sussex, 20 March 1558. *State Papers*, Irel., Mary, ii, 32 (1).

In other words, what Elizabeth aimed at was a policy of *laisser aller* within certain limits. If the Irish would keep the peace she for her part would accommodate herself to their wishes, and refrain from innovations of any sort. It was her father's standpoint. But her necessity was even greater than his had been. For with an empty treasury, a divided Europe watching anxiously to which side she would incline, and a jealous suitor ready to take advantage of any slip she might make, it behoved her to walk circumspectly, to adjust her policy to her resources, and above all to avoid frittering away her strength in petty enterprises. It is important to bear her position in mind, for it helps to explain much in her dealings with Ireland which is otherwise unintelligible. The question is not whether a more energetic policy on her part would not have produced better results at less expense to the Crown and with less suffering to the Irish, but whether such a policy was at all possible. Before condemning her then it may be well to institute an inquiry into the nature and extent of her resources, the more so as the inquiry is calculated to throw considerable light on the causes which led to a rupture between the Crown and the Anglo-Irish gentry of the Pale.

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[1] *Cal. Carew MSS.*, 1559, pp. 284-288.

In her Instructions to the Earl of Sussex Elizabeth had, as we have remarked, expressed her willingness to maintain a standing army in Ireland of 1500 men. Such a force was of course quite inadequate for any other purpose than merely to police the country in time of peace. As a matter of fact nearly the whole of it was absorbed in garrison duty on the frontiers of the Pale and in personal attendance on the Deputy. For emergencies—sudden rebellions, invasions and the like—Government had to depend on what were called the "risings-out," or, in other words the feudal levies of the Crown. These "risings-out," or "hostings" were of two sorts—the one drawn from the English districts of the Pale, the other supplied by the "mere" Irish, in accordance with agreements made between them and the Crown. By an Act of Parliament (38 Hen. VI, c. 7)[1] every nobleman or gentleman who could dispend £20 yearly was obliged to provide one archer on horseback for the defence of the country. Similarly every corporate town was bound to contribute its regular quota to every hosting undertaken by the Lord Deputy. At the beginning of Elizabeth's reign that to be furnished by Dublin amounted to sixty well equipped archers, that by Drogheda forty, and so on. As for the native levies—*i.e.* the contributions which the chiefs, who had submitted to the Crown, had bound themselves to supply,[2] it is evident that, except where force could be applied, or where, for reasons of his own, the chief was anxious to display his loyalty, not much reliance could be placed upon them. In most instances they were a *quantité négligéable*; so that, except for what assistance was furnished by England, the whole burden of military operations had to be borne practically by the Pale.[1]

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[1] Berry, *Statute Rolls of Ireland*, ii, p. 647.

[2] For example, O'Donnell bound himself to answer every summons to a hosting in person, with 70 horsemen and 120 kerne for one month, at his own expense; MacMahon himself with 16 horsemen and 32 kerne for three weeks, if the service was in Ulster, if elsewhere, with 8 horsemen and 16 kerne. *Cal. Carew MSS.*, 1515-1574, pp. 183-184.

The objections to the system of "hostings" were manifold. In the first place the total force furnished by them seldom amounted to more than 700 horse and the same number of kerne; then they could only be called out with the consent of the nobility and gentry, and after notice to do so, leading to much loss of time, had been given; further they were available only for a limited period, seldom exceeding six weeks; they were as a rule badly armed and worse drilled, and in general more given to plundering than to fighting. On the other hand they were self-supporting, and, so far as the kerne were concerned, very useful in capturing the cattle of the enemy and thereby setting the soldier free for the more arduous duty of fighting. In pre-Tudor times the "hostings" constituted the chief military force of the Government; but with the adoption of a more vigorous policy, and the establishment of a standing army, their importance declined,[2] and a tendency manifested itself to commute personal service for money payments.[3] But the practice was regarded with suspicion, as is shown by a clause added to an order for a general hosting against the Scots in 1568, whereby it is provided "that if the war in the north or the coming of the Scots urge not this hosting, that then it shall not be converted into money to any other uses."[4]

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[1] For details see the account of "the general hosting northward against the Scots, set forth by the Rt. Hon. the Lord Fitzwalter, Lord Deputy of Ireland, 2 June, 1556, and continuing for 42 days" in *Acts of the Privy Council of Ireland*, pp. 12-18.

[2] See on this point an interesting letter from Wallop to Burghley, *Cal. State Papers*, Irel., 9 March 1586.

[3] For example, it was resolved on 18 Nov. 1569 that the general hosting proclaimed in October "should for divers great and weighty considerations, both the season of the year, and the condition and sort of the rebels, and annoyers of the State, and public security of the realm be converted into money." *Acts of the Privy Council*, p. 236.

[4] *Acts of the Privy Council*, p. 225; cf. *Book of Howth*, p. 209: "In this Sir Harry's time he had a hosting granted, and after he and the Council would have converted his hosting to money, both to charge the nobility as the Commons; by reason whereof all those of Fingall and Methe did withstand this converting, and came before Sir Harry [Sidney] being L. Deputy, in Trodath, in St Peter's House, and all the Council there assembled for this same cause, and there declared by the mouth of the L. of Howth for the whole country that this kind of dealing was contrary to the laws and good orders of England that they should be so used, and desired the Deputy and Council to use them according to the Prince's law. The first day the L. Deputy was in a great rage, and threatened the gentlemen to the Castle of Dublinge, but the morrow after the L. Deputy did well allow the gentlemen's request, and did confess that he

Unlike the "hostings," the standing army, being an innovation arising out of the necessity of having to supplement the feudal levies by a more efficient instrument for the preservation of the peace of the country, was not self-supporting. Elizabeth, as remarked, had announced her intention of keeping an army of 1500 men on foot at a monthly charge of £1500. The question to be considered is how this sum, which indeed was barely sufficient to pay the wages of the soldiers in time of peace, was raised.

In general the revenue of the Crown in Ireland sprang from two sources—viz. Crown rents and customs duties. Of the former the rents derived from the grants of ecclesiastical lands made by Henry VIII, Edward VI, and Elizabeth were by far the most important. Thus in 1564, 1575, and 1585, when the total revenue from all sources amounted to not quite £11,000 annually, the ecclesiastical rents furnished £6608 odd. Taken together with the proceeds of the ancient inheritance of the Crown and attainted lands, the rents derived from land accounted for nearly £9000 of the total revenue.[1] Of the minor sources of income customs duties constituted the most important item, though not so important as might have been expected when it is remembered that, with the exception of the Act of 13 Hen. VIII, c. 2 forbidding the exportation of wool, no legal restrictions on Irish trade existed at the beginning of Elizabeth's reign. A word or two of explanation is necessary on this point.

From a statement roughly assignable to the end of Elizabeth's reign it appears that for a period of 250 years previously the customs of Ireland had never in any one year amounted to more than £1000.[2] Counting backwards this would give us the beginning of Edward III's reign as the period when a decline in the proceeds of the customs is suggested to have taken place.

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and the Council did commit an error, and so promised upon his honour the like should not be in his time."

[1] *Cal. Carew MSS.*, 1564, p. 365; 1575, p. 35; 1585, p. 417.

[2] *Ib.* Miscell., p. 457; and *cf.* Sir John Davies, *Discovery*. Ed. 1787, p. 31: "Upon the late reducing of this ancient inheritance of the Crown, which had been in most of the port-towns of this realm for the space of a hundred years and upwards, I took some pains (according to the duty of my place) to visit all the Pipe Rolls, wherein the accounts of customs are contained, and found those duties answered in every port for two hundred and fifty years together; but did not find that at any time they did exceed a thousand pounds per annum; and no marvel for the subsidy of poundage was not then known, and the greatest profit did arise by the coquet of hides; for wool and wool-fells were ever of little value in this kingdom."

Whether this decline is to be regarded as a sign of the decreased prosperity of the country, or to be attributed to the operation of an English Act of Edward III establishing free trade between England and Ireland may be disputed. But there is another factor of a politico-economical character which must be taken into consideration. For example, in the case of the Act of 13 Hen. VIII, c. 2 forbidding the exportation of Irish wool, and particularly its importation into England, it is to be noted that the reason of the prohibition was not the fear of Irish competition but the desire of Government to foster an Irish woollen industry.[1] In other words, the point of view of Government was that Ireland needed all her own wool for herself. At best the amount of wool grown by her was not very great ; but on the other hand it was of a very fine quality and much in demand abroad, so that the temptation to export it was very great. The Act forbidding its exportation was therefore not an Act of retaliation like the Act of 1699 which destroyed the Irish woollen industry, but rather an Act in the nature of an embargo for the protection of a home industry. The same desire to preserve to Ireland the benefits of her own products led Edward VI, in 1550, to issue strict orders to the Irish Government to study the common weal of the people, " wherein one part consisteth in keeping within the realm all wool and other commodities of the realm, as all things may be good and cheap," and to make provision beforehand to prevent scarcity.[2] It is evident that under these protective restrictions the export trade of Ireland could never attain any dimensions, and that, as the means of purchasing foreign goods was limited to such surplus products as hides, the imports were bound to be correspondingly small. As a matter of fact at no time during Elizabeth's reign did the customs of the five port towns of Carrickfergus, Dundalk,

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[1] See the Act, where it is precisely stated that the " dearth of cloth and idleness of many folks " was the motive for passing it.

[2] *Cal. Carew MSS.*, Instructions to Sir Anthony St Leger, July 1550, p. 228. *Cf.* the appointment of George Lodge to stop the illegal export of merchandise from Ireland : " . . . as wheat and all other kinds of grain, beef, lard, bacon, butter, tallow, wax, wool, flocks, tanned leather etc. by certain merchants . . . only for their private gain, without respect or any due consideration . . . to the great hindrances not only of our ordinary provisions for our garrisons and forts in that our realm, but also of the whole commonweal thereof, suffering . . . thereby not only great penury, scarcity and want, but also unreasonable and excessive prices there . . . not to be suffered in the same commonweal." *Cal. of Fiants*, Eliz. 888.

Drogheda, Dublin and Galway amount in one year to more than £309. 13. 1½,[1] and that too though, by an Act 10 Hen. VII, c. 8, twelvepence per £1 was payable on all merchandise except hides and wine. No doubt the irregular returns of the customs officials were largely responsible for this result. Those of Galway we know were particularly lax and allowed a good deal of contraband stuff to slip through.[2] But another and more important reason is to be found in a grant made by Henry VII to Waterford, Cork, Limerick and Youghal of the customs paid at those ports for the purpose of repairing their walls and paving their streets.[3] The result of this concession was that practically no customs were levied at those ports with the object of attracting foreign merchants to them.[4] In fact of all the articles exported and imported the only one which proved profitable to the Crown was wine, though even on this commodity the returns were not so great as they might have been, owing to an old grant made by Edward III to an ancestor of the Earl of Ormonde, in virtue of the office held by him of the King's chief butler, of all the prize wines of Ireland.[5] At the beginning of Elizabeth's reign the profits to the Crown on this account amounted to £800, and continued at this rate till 1584, when the customs of wine were farmed for £2000. But there was too little margin for profit to the farmer at this rate, and in 1600 the farm was reduced to £1400.[6]

From the question of revenue we pass now to that of expenditure, civil and military. In 1560 the civil charges, including under that head the salaries paid to the Lord Chancellor, the

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[1] *Cal. of Fiants*, Eliz. 959, 2422, 3433, 3465, 5071.

[2] *Cal. Carew MSS.*, 1585, p. 400.

[3] 15 Hen. VII; cf. *Cal. State Papers*, Irel., Jas I, 1612, p. 289.

[4] *Cal. Carew MSS.*, Miscell., pp. 467-468.

[5] The grant was contested for part of Munster by the Earl of Desmond, and in 1546 an agreement was arrived at whereby the prize wines were divided equally between the Crown, the Earl of Ormonde and the Earl of Desmond. (*State Papers*, Hen. VIII, iii, pp. 488, 582.) Prizage or prisage, we are informed by a contemporary writer, "is a custom taken of wines of all sorts . . . in Ireland, as I have experientally observed, and received exact information thereof from that generous merchant Mr Patrick Gough, tenant of the prise wines to the Rt. Hon. the Earl of Ormond. They are taken and chosen in this sort, viz. out of nine tuns one tun, of 20 tuns two tuns, to be taken one tun before the mast and another tun behind the mast, the ship having first broken bulk, otherwise, as in all sorts of wares, there is no custom due. . . . The prise wines must be as choice and good as the officer for the same can contrive conveniently to mark aboard. It is called prisage because it is taken in specie and all other customs are paid in money." *Cave's Collections, T.C.D. MSS.* F. 3. 17.

[6] *Cal. of Fiants*, Eliz. 4404, 6606, 6395.

Lord Treasurer and the judges of the Four Courts, annuities, wages to servants and such items as paper, ink and green cloth, amounted to £2720. In 1575 these charges had risen to £2942; in 1585 to £3482; and in 1589 to £5163.[1] Of more importance were the military charges. At the beginning of Elizabeth's reign each soldier, in addition to his equipment received, if he was a footman sixpence (Irish), if a horseman ninepence per day. Out of this he had to find himself in lodgings, clothes and food, and if a horseman to provide for his horses and their attendance. In the case of the latter the charges were fourpence a day for board and lodgings, twopence for his two horses and one penny for his boy, leaving twopence for himself.[2] Taking the army as established by Elizabeth at 1512 men strong—viz. 326 horse, 884 foot, and 300 kerne with two porters—this works out, including officers, at something like £18,000 a year. As a matter of fact the cost of the army in 1560 amounted to £18,442. 13. 4. In 1575 it had grown to £26,000. Taking then the total revenue as amounting to about £11,000, and deducting from it the civil charges averaging about £3000, there remained on account of the army a debt to be made good by England of from £10,000 to £18,000 annually. From 1558 to 1574 the maintenance of the army cost Elizabeth £370,779 odd, or on an average about £23,173 yearly.[3] In 1584 the average had risen to £40,000,[4] and in 1596 to £130,000.[5] In 1599, during Essex's term of government, the military establishment was fixed at £277,782. 15. 0 for the maintenance of 16,000 foot and 1300 horse.[6] Mountjoy's establishment was on a somewhat smaller scale; but all the same the cost of suppressing Tyrone's rebellion—*i.e.* from the battle of the Blackwater in 1598 to the final submission of Tyrone in 1603—cannot have fallen much short of £1,500,000.[7] All in all the work of conquering Ireland must have cost Elizabeth during the forty-five years of her reign something like £2,500,000, at a time when the Irish revenue in its best years seldom exceeded £25,000.[1] Year after year English gold had to be poured into the country, with the result that in the end Elizabeth, who had commenced her reign by reforming the currency, was forced to resort to the last refuge of all bankrupt sovereigns of paying her debts in a depreciated coinage.

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[1] *Cal. Carew MSS. passim.*

[2] See "The answer of the Earl of Sussex to the Book of Articles, specifying the miserable state of the Pale, annis 1560, 1561," *State Papers*, Irel., Eliz. v, 57; and cf. *Cal. Carew MSS.*, 1542, p. 200, from which it appears that the wages paid to officers were for a grand captain 4s., a captain 3s., and a petty captain 2s. a day. In James's reign the wages paid to a horse soldier were increased to 1s. a day. *Cal. State Papers*, Irel., Jas. I, iv, p. 7.

[3] *Cal. Carew MSS.*, 1574, p. 384.

[4] *Ib.* 1583, p. 384.

[5] *Cal. State Papers*, Irel., 1596, p. 154.

[6] *Cal. Carew MSS.*, 1599, p. 289.

[7] Sir John Davies says £2,000,000. *Cal. State Papers*, Irel., 1607, p. 273.

The above figures merely affect one side of the subject, and even then they represent only very inadequately the total burden of the war in Ireland as borne by England. The Irish service was notoriously one of the hardest in the world. How many of the thousands who went thither fell a prey to starvation, disease, and the sword of the enemy we shall never know.[2] Desertion was a thing of everyday occurrence, and despite the higher rate of pay there were few who could be induced to risk their lives voluntarily in a country the very name of which stank in their nostrils. For Irishmen the consequences were even more deplorable. But this is a side of the subject with which we are not immediately concerned. Our present inquiry is restricted to the financial aspect of Elizabeth's policy as it affected the general relations between England and Ireland. From the very first Elizabeth's Irish policy was influenced by financial considerations. Her resources were limited; the demands on them extreme. The problem constantly before her was how to increase the former, and how to diminish the latter. Something has been said of her desire to reduce expenditure to a minimum. Her efforts to increase her resources brought her into conflict with the Anglo-Irish of the Pale on the one hand and with the native Irish on the other. The whole matter is summed up in the two words, cess and plantations, which we are now to consider.

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[1] In 1595 the revenue amounted to £27,117 odd; but that was a year of exceptional prosperity. *Cal. Carew MSS.*, 1602, p. 504.

[2] "It is strange," wrote Sir R. Bingham to Elizabeth, "to see how our new English soldiers doth decay; for of the last thousand, one fourth part are run away, and many of the rest so poor and simple as to be utterly unserviceable." (*Cal. State Papers*, Irel., 1598, p. 340.) "By the last muster your Honour might perceive the number of about 80 run-aways with their apparel; since which we have lost many more in like manner, and some we have lighted on by the way, whereof one had been taken running afore and forgiven, and yet the second time disguised himself in woman's apparel." (Docwra to Cecil, *ib.* 1600, p. 69.) "First, for his (Docwra's) demands (which are to have 1500 or 2000 men) they are such as upon the sudden Her Majesty cannot supply them; for it is as much as she can do to provide victual to maintain those numbers till the spring that are there already, neither is she willing to charge her countries with more levies, having so lately exhausted them, especially when it is likely to raw men such a place will rather serve now for a grave than a garrison." Cecil to Bolles, *ib.* 1600, p. 417.

It is a moot point, but one of no great importance, whether it was Sir Edward Bellingham, or, as seems more likely, Sir Anthony St Leger[1] who invented cess. As explained by Sir Henry Sidney cess was the prerogative of the Crown, with the consent of the nobility and Council "to impose on the country a certain proportion of victuals of all kinds, to be delivered and issued at a reasonable rate, and, as it is commonly termed, the Queen's price."[2] This no doubt was the theory. In practice, however, cess amounted to an order of the Lord Deputy in Council, authorising the victuallers of the army to take up provisions at a certain stipulated price, other and naturally lower than the market price prevailing at the time. Like the regulations forbidding the exportation of commodities for the purpose of keeping the country well stocked with provisions it was, from the standpoint of Government, a scheme, quite justifiable by the politico-economical ideas of the time, to counteract the ordinary laws of supply and demand in what was supposed to be the general interest of the community—viz. the maintenance of the army. On the other hand, from the point of view of those who suffered by it, it was in effect an indirect way of taxing the country without its consent. Worse than this it was a tax that pressed heaviest on the most industrious and law-abiding part of the nation.[3] For, not content with merely taking up provisions for the supply of the garrisons, Government enlarged the system to what practically amounted to quartering the army on the population.

The point is well brought out by Spenser. "There are," he says, "cesses of sundry sorts; one is, the cessing of soldiers upon the country; for Ireland being a country of war (as it is handled) and always full of soldiers, they which have the government, whether they find it the most ease to the Queen's purse, or most ready means at hand for the victualling of the soldiers, or that necessity enforceth them thereunto, do scatter the army abroad the country, and place them in towns to take their victuals of them, at such vacant times as they lie not in camp, nor are otherwise employed in service. Another kind of cess, is the importing of provision for the Governor's house-keeping, which though it be most necessary, and be also (for avoiding of all the evils formerly therein used) lately brought to a composition, yet it is not without great inconveniences, no less than here in England, or rather much more. The like cess is also charged upon the country sometimes for victualling of the soldiers, when they lie in garrison, at such time as there is none remaining in the Queen's store, or that the same cannot conveniently be conveyed to their place of garrison. But these two are not easy to be redressed when necessity thereunto compelleth; but as for the former, as it is not necessary, so is it most hurtful and offensive to the poor country, and nothing convenient for the soldiers themselves, who during their lying at cess use all kind of outrageous disorder and villany both towards the poor men that victual and lodge them, and also to all the rest of the country about them, whom they abuse, oppress, spoil and afflict by all the means they can invent; for they will not only not content themselves with such victuals as their hosts do provide for them, nor yet as the place perhaps will afford, but they will have other meat provided, and *aqua vitae* sent for, yea and money beside laid at their trenchers, which if they want, then about the house they will walk with the wretched man and the silly poor wife, who are glad to purchase their peace with anything. By which vile manner of abuse, the country people, yea and the very English, which dwell abroad and see and sometimes feel these outrages, grow into great detestation of the soldiers, and thereby into hatred of the very government, which draweth upon them such evils."[1]

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[1] "He began the cesses, which gat him displeasure." *Book of Howth*, p. 195.

[2] Collins, *Sidney Papers*, i, p. 152.

[3] If the reader will bear in mind the objection taken in England to purveyance, which closely resembles cess, he will easily understand the opposition offered to the latter by the gentry and farmers of the Pale. For details as to the victualling of the army see "The articles of orders and agreement made between the Queen and Thos. Might, 24 May 1568" in *Cal. Carew MSS.*, pp. 379-383; and cf. *Cal. of Fiants*, Eliz. 526. "Appointment of H. Cowley and T. Might as surveyors of victuals, to take for the use of the army, wheat, malt etc. with necessary artisans and means of carriage and storage, paying reasonable prices, as heretofore accustomed," 20 March 1563.

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[1] *View of Ireland*, Globe Ed., pp. 643-644. Spenser's account of cess, though drawn from his experience of its working towards the end of Elizabeth's reign, when, as he says, the country was flooded with soldiers, and Government was at its wits' end to provide for them, is equally applicable to the period of which we are treating. A very similar account by a certain Edward Walshe in 1559 is printed *in extenso* in *Cal. Carew MSS.*, 1589-1600, Intro., pp. xciv-xcviii. The following passage is worth noting: "When for more ease and better defence of the Pale the soldiers are sent to lie upon the borders, in peace time, where

Such being the nature and evils of cess it is no wonder that before long the voice of discontent and remonstrance at what was regarded as an unfair and illegal tax on the industrial part of the nation began to make itself heard. Already in 1557 George Dowdal, Archbishop of Armagh, in setting forth the deplorable state of the country where " a man may ride south, west and north, twenty or forty miles and see neither house, corn, nor cattle," had attributed the poverty of the farmers of the Pale to the " daily burdens laid on them by exaction of corn, beeves, muttons, sometimes for half the price, sometimes without money." [1] The hardship was admitted by Government ; but it was urged that the necessity of maintaining the army was a sufficient excuse and that every effort was made to render the burden as light as possible. In particular it was claimed by Sussex that the gentry of the Pale were under great obligation to him for transferring the supplying of meat provisions from them to the " mere " Irish, as, *e.g.* from O'Reilly 200 beeves and 100 swine, from O'Kelly 60 beeves and 30 porks, from the county of Tipperary 100 beeves and 50 swine and so on.[2]

As time went on the volume of complaint increased, and the reluctance of the Pale to submit to the burden of provisioning the army became more pronounced. To all Sussex's arguments of necessity the gentry turned a deaf ear. The imposition was illegal, and they would not submit to it. Their position was incomprehensible to the Deputy, and he was driven to conclude that their real object was " to have the government amongst themselves, which they will shortly bring to pass, for they have so tired me, as I had rather live a prisoner there [in England] than a governor here. . . . They care not to weaken the English Pale to strengthen the Irishry, and to waste their own lands wilfully, that it might be thought the army is cause thereof." [3] Shortly afterwards a number of Irish law students, residing in

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a great number being cessed upon a small territory, the burden is so heavy to the inhabitants, upon whom if they but lie one quarter of a year, the poor people liven the worse seven years after. And although in war time the living of the soldiers there be such service indeed as causeth enemies to forbear that border for the time, yet is that service so dear bought as all that the poor man saveth by the defence of the soldier's presence, when the soldier is gone, the enemy cometh and taketh all away ; so as between the soldiers and the enemy the poor man hath nothing left."

[1] Effect of the Book exhibited by the Archbishop of Armagh. *State Papers*, Irel., Mary, ii, 45.

[2] *Acts of the Privy Council*, p. 67.

[3] *State Papers*, Irel., Eliz. iv, 31.

London, presented a petition, or, as they called it a "Book," consisting of twenty-four articles, to the Privy Council, setting forth the miserable condition of the Pale in the years 1560 and 1561.[1] Among the names attached to the petition were some of the oldest and most respectable families in the Pale—Talbot, Bath, Dillon, Burnell, Barnewall, Fleming, Netterville, Cusack, Wesley and Sedgrave. The document was submitted to Sussex, who happened to be in London at the time. In his "Answer"[2] the Lord Lieutenant, after glancing slightingly at the petitioners as a few beardless youths, ignorant of the real state of affairs in Ireland, asserted that in his opinion the upshot of the "Book" was "but to find fault at the victualling of the army, which being stayed, the army must be withdrawn, and so consequently, the government brought amongst themselves, which is the mark they shoot at."

It may be that Sussex was right. Certainly it could not be denied that the feeling of the gentry of the Pale had undergone a remarkable change in the last few years, and that the process of "reforming" Ireland, as it was being carried out, was little to their liking. No doubt the ostensible cause of their opposition was the imposition of cess. But it is easy to see that the real ground of their complaint was their virtual exclusion from any share in the government of the country.[3] It might be true, as Sussex argued, that an army was necessary to preserve order, and that without cess the army could not be maintained. But if this policy meant, as it clearly did, the establishment of an English as opposed to an Irish Interest in the country, it could not meet with their approval. Their position, however incomprehensible it was to Sussex, was that Ireland was their country, and that the object of the intervention of England, as conceived by Henry VIII, was not to wrest the government out of their hands, but rather to confirm them in it. For centuries they had kept the " mere " Irish at bay ; they had no liking for them ; they were at heart Englishmen ; but they knew their own interests and rather than submit to see their rights curtailed they preferred the old state of affairs. It is impossible not to recognise in the position of the gentry of the Pale in regard to cess in the sixteenth century a singular resemblance to that taken up by the English colonists in Ireland in regard to the right claimed by England in the eighteenth century to pass laws binding on Ireland. The motive in both cases was the same—viz. the desire for self-government. Unfortunately for the development of a constitutional in distinction to a bureaucratic form of government in Ireland in the sixteenth century, the question of cess was, as we shall see, shortly to be complicated by religious differences between rulers and ruled. In England of course the matter of cess was regarded from a diametrically opposite standpoint. From the English point of view Ireland belonged by right of conquest to England. It had drifted away from its allegiance, and the safety of England urgently demanded its subjugation. As to the means to be employed to accomplish this object opinions might differ ; but if the gentry of the Pale liked to take their share in the work they would doubtless be the first to profit by the result. For an Irish as distinct from an English Interest on the one hand and a native Interest on the other there was, however, no room.

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[1] *State Papers*, Irel., Eliz. v, 51.

[2] *Ib.* v, 57.

[3] At the time when Henry VIII began to interfere actively in the affairs of Ireland the government rested mainly in the hands of the gentry of the Pale. With the exception of the Lord Deputy the Council consisted wholly or almost wholly of Anglo-Irishmen; and as Parliaments were of rare occurrence the practice obtained of submitting every important act of administration to what was called the *magnum concilium*, which in this case represented the chief families of the Pale. Even in Sussex' time the assent of the gentry of the Pale to every hosting and to the imposition of cess was admitted. But as the authority of the Crown grew predominant and the machinery of Government was monopolised by English officials the practice of consulting the *magnum concilium* sank into abeyance and finally the right of the gentry of the Pale to be consulted was altogether denied by Chichester, and Strafford. *Cf.* Collins, *Sidney Papers*, i, p. 181; *Cal. Carew MSS.*, 1613, pp. 265-267; Monck Mason, *Essay on the Constitution of Parliaments in Ireland*, pp. 15-19.

The opposition to cess, which Sussex had found such a hindrance to his operations, assumed a more acute form under his successor, Sir Henry Sidney. So far from admitting that cess was, as Sidney argued, a prerogative of the Crown, the gentry of the Pale insisted that it was a taxation, and that no taxes could be levied without the consent of Parliament.[1] It was useless for him to try to prove that in supporting the army they were themselves chiefly benefiting by it. Their one answer was that " they were English and free subjects," and if they could not have remedy at his hands, they would seek it at her Majesty's.[2]

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[1] *Book of Howth*, p. 214.

[2] Collins, *Sidney Papers*, i, pp. 180-182 ; *cf*. Gerard to Walsingham : " These gents who now complain should take some taste of the pain which the poor perforce abideth. For, Mr Secretary, say what they list, I find it by their own

Finding it impossible to overcome their opposition, or to consent to the substitution of a permanent land tax, Sidney yielded to their request to be allowed to appoint a deputation to submit their case to the Queen. But, prerogative or no prerogative, Elizabeth had no intention of surrendering any such certain source of revenue as cess constituted. The deputies, after being sharply reprimanded for their disloyalty, were laid by the heels for a time in the Fleet. Their friends in Ireland were treated in a similar fashion by Sidney. But neither the Queen's displeasure nor imprisonment could break their opposition, further than to elicit from them the admission that they had no intention of impugning the prerogative of the Crown, and Elizabeth seeing that the situation was growing precarious gave orders for their release.[1] In the end a compromise was arranged, and in return for the abolition of cess the gentry of the Pale agreed to contribute one penny a day per man for the maintenance of 1070 soldiers. The contribution was to be extended over eleven counties, and that for the five counties of the Pale was fixed at £1500.[2] A special clause reserving to the Crown the right of levying further contributions in case of foreign invasion or great inward rebellion, shows that the agreement was only intended to hold good in ordinary years[3]; and, from several references to the necessity of submitting the whole question to Parliament,[4] it is evident that it was only regarded as a temporary expedient.

Regarding it as such Sir John Perrot, who succeeded to the government in 1584, "neglected" to renew the composition, explaining in reply to Wallop's remonstrances in this respect, "that he doubted not by Parliament to make a better bargain."[5] He had recently brought to a successful conclusion a scheme started by Sidney for effecting a composition with the landowners

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confession the gents never lived so civilly and able in diet, clothing and household, as at this day; marry the poor churl never so beggarly. . . . I abash to tell with how few soldiers all this Pale could be overrun, if they were left to be defended by their own power; and yet a lord said at the Council that they of the country needed no garrison!" *Cal. Carew MSS.*, 1577, p. 72.

[1] Lord Deputy and Council to the Privy Council, 18 Feb. 1577, in *Cal. Carew MSS.*, p. 125; and Sidney's Relation, *ib.* 1583, p. 355.

[2] See documents in *Cal. Carew MSS.*, 1578-1579 *passim.*

[3] Advantage was taken of this clause the very next year (1579) to levy an imposition of wheat, malt, beeves, etc. on the country. See *Acts of the Privy Council*, p. 287.

[4] See particularly Queen to Sidney, 29 May 1578, *Cal. Carew MSS.*, p. 129: "It is also requisite that the composition for cess be passed by Parliament."

[5] *Cal. State Papers*, Irel., 1586, p. 37.

in Connaught, and his object was to obtain the sanction of Parliament to the establishment of a uniform tax of thirteen shillings and fourpence per plough-land on the basis of a new survey. But Parliament, for reasons presently to be considered, refused to agree to his plan, and he was consequently obliged to revert to the system of composition. Parliament was dissolved on 14 May 1586 and next day Perrot concluded an agreement with the gentry of the Pale for a renewal of the composition for cess at the rate of £2000 a year.[1] The plan worked badly. The composition money was difficult to collect, and it was insufficient for its object[2]; but so long as Parliament refused to consent to a land tax it was the only semi-constitutional way that suggested itself of meeting the difficulty. The agreement was renewed in 1592; but owing to the disturbed state of the country during the last years of Elizabeth's reign the practice of cess was again reverted to. When the war was declared at an end the gentry of the Pale petitioned that the agreement might be revived and in 1605 the composition was renewed at the old rate of £1500 for the five counties of the Pale, "albeit they (the Council) insisted much to draw them to an increase of that composition towards the easing of the great charges his Majesty is at for their defence, . . . yet in this point they proved utterly repugnant as being altogether unable to sustain, as they said, any increase at all after so great a weakening of their estate by the late long rebellion."[3] Though the complaint against cess did not immediately die out, and indeed figures amongst the charges brought by the Recusants against Sir Arthur Chichester's government,[4] the question owing to the diminution of the army and the increasing prosperity of the country gradually from this time forward sank into insignificance, and finally towards the end of James's reign disappeared altogether.

To come now to the question of plantations. It has been pointed out in discussing the origin of the plantation of Leix and Offaly how, far from displaying any eagerness to embark on a scheme, which, however desirable it might appear as a means of "reforming" the country, appeared to be beyond the ability of the Crown to accomplish, Government had at first directed its efforts to effecting a compromise with the natives of those districts, and how only after the failure of those efforts and in consequence of the offer of a number of private individuals residing in the Pale to undertake the business on their own account, it had consented to a trial of the scheme. The experiment if it did not entirely realise the sanguine expectations of its projectors, had not, on the whole, been unsuccessful, and there was every prospect that in time Leix and Offaly would, besides adding to the security of the Pale, be in the position to contribute something to the revenue. The consequences were twofold—viz. first, a growing inclination on the part of Government to regard plantations as the most feasible means of settling the Irish question, and secondly, a greater readiness on its part to enlist private enterprise in the work. Accordingly no sooner had Shane O'Neill disappeared from the scene than Elizabeth announced to Sidney her "full determination to have that country [Ulster] peopled with obedient subjects."[1] Her intention speedily became known and aroused considerable interest in England. Hitherto Englishmen had bothered their heads very little as to what was going on in Ireland, but as the prospect dawned on them of being able to advance their own fortunes by assisting in what was euphemistically called the reformation of that country their attitude in that respect changed entirely. Before long Government was literally overwhelmed with offers and projects of one sort and another.[2]

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[1] Lodge, *Desiderata Curiosa Hibernica*, i, pp. 77-81; and *cf.* Fenton to Burghley, *State Papers*, Irel., Eliz. cxxxi, 5 (11), where the division of the sum upon the several counties is given.

[2] Lords Justices and Council to Privy Council, 5 April 1580, "whereas the Pale and certain shires adjoining compounded instead of cess to pay £2000, there is not of that victualling money come to the hands of the Treasurer above £200." *Cal. Carew MSS.*, p. 242.

[3] *Cal. State Papers*, Irel., 1605, p. 291-292.

[4] *Ib.* 1613, pp. 413-418.

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[1] *State Papers*, Irel., Eliz. xxi, 10.

[2] See, *e.g.* the following heads of suggestions :—

1567, July. Protestants from Flanders to be planted in Ireland.

1567, July. H. Gilbert and companions to plant the Glynnes and Route.

1568, Jan. Devise for the plantation of Ireland with Englishmen.

1568, Nov. Offers of Hierom Brett and sundry good subjects for planting Munster and Wexford.

1569, April. Petitions to the Privy Council by gentlemen offering to plant Munster with natural Englishmen.

1570, March. Humble petition and offer of Sir T. Gerard and companions for planting the Glynnes and part of Clandeboye.

1571, July. Device of Capt. Piers for planting Ulster.

1571, Dec. Petition of Captains Browne and Borrowe for the Ards, from the river of Strangford to the river of Belfast.

1571, Dec. Memoranda for Ireland. Suits of Capt. Malby for Macartan's country; Thomas Smith for the Ardes, and Chatterton for O'Hanlon's country.

Cal. State Papers, Irel., pp. 340, 362, 397, 406, 428, 451, 462.

Among those bitten by the colonisation craze was Sir Peter Carew of Mohuns Ottery, Devonshire. Carew was an adventurer of a type of which there were thousands in England at the time. In one of his rare moments of leisure he had amused himself by turning over the family records at Mohuns Ottery. They were hard to read, some of them almost illegible ; but he had little difficulty in making out from them that at one time the Carews possessed large estates in Ireland. With the skilled help of John Hooker, the historian, he soon satisfied himself that he had a good claim to the lands in question ; and on his return to Court he at once solicited the Queen for permission to go to Ireland to prosecute his claim. He could not have chosen a more auspicious moment to urge his request. Elizabeth was full of her project for planting Ulster, and knowing Carew's worth she not only listened favourably to his request but promised him all the assistance he needed. Carew's intention to revive a long dormant claim to the possession of wide scopes of land in Leinster and Munster soon became known in Ireland. Some of these lands were in the possession of the native Irish ; others, however, had passed into the hands of gentlemen of Anglo-Irish descent, and among them Sir Edmund Butler, brother of the Earl of Ormonde. The feeling of incredulity with which the news of Carew's intention had been received changed to one of indignation when he succeeded without much difficulty in establishing his claim to certain lands in the very heart of the Pale, in the possession of Sir Christopher Cheevers. It was a test case and Carew was easily persuaded to consent to a compromise with Cheevers. The judgment he had obtained in the case of Maston manor would, he knew, speedily put him in possession of infinitely more valuable property.

Unfortunately for the quiet prosecution of his claim Parliament happened to meet just at this moment. It had been summoned, reluctantly enough, by Elizabeth [1] for the purpose mainly of clearing the Crown's title to the lands lately in the possession of Shane O'Neill ; but it was feared that it would not be content to confine itself to the programme laid down by Government. Sidney's arbitrary conduct in the matter of cess was still fresh in the memory of the gentry of the Pale, and Carew's recent proceedings had not tended to improve their temper. In fact no sooner did Parliament meet on 17 Jan. 1569 than it was clear that Government was in for a stormy session. A proposal of the "Court party" to appoint James Stanihurst Speaker was immediately met by a counter-proposal on the part of the "Commonwealth men" in favour of Sir Christopher Barnewall. Being defeated on this point, the Opposition opened a fierce attack on the returns to the House, on the grounds that a number of English members had been improperly elected to represent non-corporate boroughs, that several mayors and sheriffs had returned themselves, and that other members were disqualified by non-residence. The judges, to whom the matter was referred, allowed the first two objections, but dismissed the third. Their decision did not materially affect the relative strength of parties in the House, but there was, Sidney complained, a good deal of intriguing against him, and a proposal by Government to suspend Poynings' Law was rejected by a considerable majority.[1]

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[1] On 16 Jan. 1567 she had written to Sidney that "except the same might appear very necessary we have small disposition to assent to any Parliament." *State Papers*, Irel., Eliz. xx, 8.

Among those who had taken a leading part in opposing Government was Sir Edmund Butler. No doubt his attitude was sufficiently explained by his indignation at the claim raised, and shortly afterwards established by Sir Peter Carew to the barony of Idrone in county Carlow, which included certain lands in his possession; but his opposition greatly angered Sidney and having called him before the Council he rebuked him in strong terms for his disloyal behaviour. Sir Edmund was, however, in no humour to brook advice from one whom he regarded, rightly or wrongly, as Sir Peter's ally, and he at once retired to his own country. Before many days had elapsed it was reported that he and his two brothers Edward and Pierce had thrown in their lot with their old enemy James Fitzmaurice Fitzgerald, who, in the absence of the Earl of Desmond and his brother Sir John in England, had usurped the government of Munster, and under cover of a holy war, was devastating the south of Ireland with fire and sword. Anticipating danger Sidney peremptorily summoned them before the Council. But feeling that he had committed himself too far to trust himself within the Deputy's power, and fearing, as he afterwards alleged, that Sidney's object was to detain him until he had surrendered his lands to Sir Peter Carew,[1] Sir Edmund refused to obey the summons. After making one further attempt to save him from the consequences of his rash conduct,[2] Sidney proclaimed him a traitor and despatched Carew with a considerable force to apprehend him. The choice he made of Carew to execute his command did not improve matters, and gave great offence to the Earl of Ormonde, who, though he made no attempt to exculpate his brothers, let it clearly be seen that, in his opinion,[3] Sidney and Carew were chiefly to blame for what had happened. Elizabeth was evidently inclined to share his opinion, and after Ormonde had succeeded in patching up matters between the Lord Deputy and his brothers, and Munster had been reduced to some degree of order by the submission of Fitzmaurice, she broadly hinted to Carew that he would do well to desist from the further prosecution of his claims and rest satisfied with what he had got.[4]

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[1] For a full account of these proceedings see Hooker in Holinshed, *Chronicles*, vi, pp. 345-362, and Campion, *Hist. of Ireland*. Hooker sat as M.P. for Athenry and Campion received his information at first hand from Speaker Stanihurst; *cf.* also Weston to Cecil in *State Papers*, Irel., Eliz. xxvii, 25.

Meanwhile, after Sir Edmund Butler's withdrawal, Parliament had quietly settled down to its work, and before its final prorogation in June 1570 it had accomplished some useful legislation.[5] Among the Acts passed by it was one entitling the Crown to the lands lately in the possession of Shane O'Neill. The Act, as we have seen, had been intended as a preliminary step to the plantation of Ulster; but before Government could take advantage of it the opportunity of doing so had passed away. In fact Shane had hardly disappeared than it was reported that his successor Turlough Luineach was "working in the old manner of his lewd predecessors" and was likely to prove more formidable than even Shane himself.[1] The prospect of having to fight for the possession of the lands so liberally conferred on her by Parliament rather damped Elizabeth's interest in the scheme. But, as we have seen, there was no lack of individuals willing to make the attempt on their own account, and as it was considered very desirable to put a barrier to the constant and ever increasing influx of the Scots into county Antrim, Elizabeth was easily persuaded to consent to several undertakings to colonise that part of the country. None of these undertakings proved successful, and for herself Elizabeth seemed to be growing tired of these useless and costly experiments.[2] But in this respect she stood alone. Elsewhere there was a tendency to attribute their failure to the inadequate resources of the undertakers, rather than to any inherent fallacy in the policy of plantation itself. The example of Leix and Offaly was appealed to, and it was urged that the State alone could undertake such schemes with any prospect of success.[3]

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[1] *Cal. Carew MSS.*, 1569, p. 387.

[2] See Instructions to Viscount Baltinglas and Richard Sheeth, and Depositions of the same regarding their conference with Sir Edmund Butler in *State Papers*, Irel., Eliz. xxviii, 34, 42.

[3] Ormonde to Cecil, 24 July 1569, in Maclean's *Life of Carew*, pp. 214-219, and Same to the Same, 7 Sept. 1569, in *State Papers*, Irel., Eliz. xxix, 60.

[4] See particularly Carew to Lord Deputy in Maclean, *Life of Carew*, App. H, 24, undated, but evidently written in 1573: "It hath been reported unto me that the Queen's Majesty's pleasure is, I shall not return into Ireland for the further following of my causes there," etc. Elizabeth was acting on Perrot's advice. (See Perrot to Lord Deputy and Council, 19 March 1573, *ib.* App. H, 20.) Carew's patent of Idrone excluded the lands claimed by Sir E. Butler. After Carew's death in 1575 his estate passed to his cousin Sir Peter, and on his death at the battle of Glenmalure in 1580 it descended to Sir George, afterwards Earl of Totnes, who sold it in 1585 to Dudley Bagenal, second son of Sir Nicholas Bagenal.

[5] See Heads of Acts in Ware, *Annals of the reign of Elizabeth*. Ed. 1714, c. xii.

The consequence was that after the suppression of the great Desmond rebellion in 1583, when something like half-a-million acres of excellent land fell to the Crown, it was resolved to undertake a plantation on a large scale in Munster. Unlike Ulster, Munster was not a *terra incognita* to Englishmen; the destruction of life that had been going on there almost without intercession for the preceding five years seemed to promise the new settlers a comparatively unhindered possession of the soil; and the great care with which the details of the scheme were worked out by Government almost precluded failure.[4] Nevertheless it was soon apparent that the plantation of Munster could not be regarded as an unqualified success; and when, a few years later, the opportunity was presented of effecting a similar plantation in county Monaghan, Elizabeth yielded to Sir William Fitzwilliam's suggestion[1] to attempt a settlement on the basis of an arrangement with the natives.[2] On 20 January 1591 she authorised the Lord Deputy "to assign and allot to the persons named in your letters, *i.e.*, Ever M'Cooly MacMahon, Rosse Bane MacMahon etc., such portions of the forfeited seignories and lands as in your discretion shall be thought meet for the advancement of our service, the reduction of the country to civil obedience, and the contentment of the parties."[3] In passing it may be noted that, in pursuing this policy of assigning estates of inheritance to the chief of the MacMahons, Elizabeth was merely reverting to the plan followed by Henry VIII in his dealings with the O'Tooles of Fercullen,[4] and to the original intentions of Government in regard to the O'Mores and O'Conors of Leix and Offaly. At present we are chiefly concerned to point out that her adoption of it seems clearly to prove that she had lost faith in the policy of colonising Ireland with Englishmen as a means of reducing the country to order and civility.[5] Perhaps the prospect the scheme offered her of increasing her revenue by £400 without much trouble may have had something to do with her decision. But that this was not her only or chief reason is evident from her instructions to the Lord Deputy and Council in July 1592 to the effect that, if any other of the Irishry sued for surrenders and regrants of their lands, they were to be accepted and regrants made to them, on the conditions contained in her letter of 20 Jan. 1591, touching the granting of the country of Monaghan to the sept of the MacMahons.[1]

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[1] *Cal. State Papers*, Irel., 1569, p. 400.

[2] See her Instructions to Grey, July 1580, *Cal. Carew MSS.*, p. 277: "As our subjects of that country birth have conceived that we have a determination to root them out, and place there our subjects born in this realm, seek to remove that false impression."

[3] See Sir Thomas Wilford to Burghley, 1 Dec. 1573, *State Papers*, Irel., Eliz. xliii, i: "My Lord, it is not a subject's purse and countenance must do this. It must be Her Majesty only"; and *cf.* Sir J. Davies, *Discovery*, p. 122: "The truth is, when private men attempt the conquest of countries at their own charge, commonly their enterprises do perish without success; as when, in the time of Queen Elizabeth Sir Thomas Smith undertook to recover the Ardes; and Chatterton to reconquer the Fews and Orrier: the one lost his son, and the other himself; and both their adventures came to nothing."

[4] For an account of the plantation see *English Hist. Review*, iii, pp. 250-269.

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[1] See his letters, March 2 and 3, 1590, with enclosures. (*Cal. State Papers*, Irel., pp. 315-318.) That Fitzwilliam was the author of the scheme is fully recognised by Chichester. (*Ib.* 1614, p. 480.) "Has made many freeholders of the natives under them, according to a plan conceived by Sir W. Fitzwilliams." The fact should be noted by those writers, who are so fond of contrasting Fitzwilliam's brutal government with the suave administration of Perrot.

[2] *Cf.* Heneage to Carew, 22 Dec. 1590, *Cal. Carew MSS.*, p. 247: "Touching the baronies of MacMahon fallen into her Majesty's gift by his attainder, I find . . . that her Majesty means to dispose the same into divers hands, but none to have anything that will not obey English law."

[3] Morrin, *Cal. of Patent Rolls*, ii, p. 215; *cf.* Hardiman, *Inquisitionum Cancell. Hib. Repertorium*, Ultonia, pp. xxi-xxxi; *Cal. of Fiants*, Eliz. 5582 etc.; Sir John Davies, *Discovery*, pp. 229-238.

[4] *State Papers*, Hen. VIII, iii, p. 279.

[5] *Cf.* Spenser, *View of Ireland*, p. 675: "It is not for nothing (I perceive) that I have heard that the Council of England think it no good policy to have that realm reformed, or planted with English, lest they should grow as undutiful as the Irish." That the settlement of Monaghan, as carried out by Elizabeth, was regarded as a success is evident from the fact that James I intended a similar settlement in the counties of Fermanagh and Cavan. (*Cal. State Papers*, Irel., 1606, p. 23.) This, however, was before the flight of the Earls.

Unfortunately, and quite apart from the fact that the policy she was now prepared to pursue had less chance of success than it would have had at the beginning of her reign, the plan of assigning estates to the native Irish was not likely to prove so generally acceptable to them as might be supposed. On the contrary it is no exaggeration to say that the consideration shown by Elizabeth towards the MacMahons was one of the principal causes of Tyrone's rebellion. Incredible though the statement may appear, the truth of it will not be disputed by those who have carefully considered the drift of what may be called the domestic politics of the clan O'Neill in the sixteenth century. Of all the rights and privileges claimed by Shane O'Neill and his successors Turlough and Hugh, none was dearer to them than the claim to command the obedience of their urriaghs or vassal chiefs. The concession of this claim had been made the *sine qua non* by Shane of his consenting to peace at Drumcru in 1563, and there can be no question that it constituted the real *crux* in all the negotiations between the Crown and Tyrone at a subsequent time.[2] From Tyrone's point of view then the settlement effected by Elizabeth with the MacMahons was an encroachment on his most cherished rights, the more dangerous as it was evidently intended by Government to be the prelude to further operations of a similar kind, which, if carried into effect, would rob him not merely of the services of his urriaghs, but also of the respect of his own clansmen, and reduce him to the detested position of an ordinary nobleman. To become the equal of a Maguire or an O'Cahan was an indignity to which he would not submit. But if his desire to preserve his ancestral rights in the matter of his urriaghs was probably the main motive of Tyrone's rebellion, other causes co-operated which gave to it the appearance of a religious and semi-national movement.[1]

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[1] *Cecil MSS.*, iv, p. 217.

[2] In this connection see a curious conversation between Sir Toby Caulfeild and Bartholomew Owen (*Cal. State Papers*, Irel., 1606, p. 410), particularly the following paragraph : "Well," quoth I, "suppose we had been gone, then would your misery have begun ; for the Earl of Tyrone would have sought to be King, and divers of his own rank would have withstood him, and then you would have saved us a labour in killing one another." "No," said he, "the Earl would have asked no more than his rightful inheritance, which his ancestors enjoyed, from the river of Bann to the Fynne at Lough Foyle, with his urriaghs ; and that every other lord should have governed his country according to their ancient customs," etc.

To come now to a consideration of these other causes, or in other words to the effect of Elizabeth's religious policy on the general situation, we have seen that neither cess and all that cess involved, nor the plantations had in the first place anything to do with religion. How came it then that religion, which had formed no part in the grievances either of the gentry of the Pale or of the "mere" Irish during the earlier part of Elizabeth's reign, grew to constitute their principal grievance, and to form, as it were, a bond of alliance between two hitherto hostile races? A reference to the Statute Book will furnish no explanation of the problem. For except for the Acts of Uniformity and Supremacy it is a blank so far as penal laws against Roman Catholicism is concerned. Compared with their co-religionists in England, it may be said without fear of contradiction that the Irish Catholics were under no religious disabilities. They might hold any official position in the State, and they might practise as lawyers, doctors, and schoolmasters, without the slightest restraint. All that could be legally demanded from them was an acknowledgment of the Queen's supremacy as head of the Church and State,[2] and a more or less regular attendance at divine service; but neither of these demands was rigidly enforced.[1] Even as regarded those constant disturbers of the public peace, the Jesuits, the only way of bringing them to account was by the application of laws belonging to Pre-Reformation times.[2] Whence then the religious grievance?

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[1] *Cf.* Bishops of Dublin and Meath to Jas. I, June 1603: "The King is aware with what bloody wars this kingdom has been a long time afflicted. Can assure him that the first authors and actors thereof were but a few of the savage chieftains of the barbarous and untamed Irishry . . . begun, and a long time continued, without any thought or disposition in the first rebels (whereof they account the E. of Tyrone one) for any restoration of idolatry and Romish religion. But after they had kindled that fire . . . then did those priests and Jesuits . . . break forth and discover themselves; and with fresh supplies of priests sent from Spain and Rome, repaired to those barbarous and irreligious rebels, and persuaded them that, if they would seek and fight for the restitution of Romish religion, then they should not only be sure that God would fight for them, but would be also certain to receive aid both from the Pope and King of Spain. . . . Thus this rebellion, begun upon private discontents, having marked itself with the pretence of holy and catholic religion, raged so far and wide," etc. *Cal. State Papers*, Irel., p. 58.

[2] The oath of Supremacy was first imposed by the Act 28 Hen. VIII, c. 13; but was repealed by the 3 and 4 Phil. and Mary. It was re-enacted by the Irish Parliament in 1560, but under circumstances which have led certain writers to doubt whether it could be regarded as legally binding. Anyhow it was never enforced in Elizabeth's reign. The following interesting note from William Lynch, author of ***Feudal Dignities***, to Sir James Mackintosh bearing on the subject is printed in the Preface to the *Calendar of State Papers*, Irel., 1606-1608, p. civ: "The number of persons who sat in Parliament and framed the 2nd of Elizabeth is given by Leland. I have lately discovered the persons' names etc. . . . It was, in fact, no representation; and Elizabeth was aware of that,

It was significant for the reception and progress of the Reformation in Ireland that it was there on all sides regarded as a purely official transaction, devoid of importance for the spiritual welfare of the nation. Hyperbolical allusions, like those of the Irish annalists, to a worse than Diocletian persecution are the mere products of latter-day imagination. Of persecution for religion's sake there was in the beginning absolutely no sign. It is true in the case of Ireland as of other countries that the blood of the martyrs has proved the seed of the Church; but in her case it was an experience reserved for a much later period. At first and for long afterwards not one single person suffered either in person or worldly goods for his attachment to the Church of Rome. The reason for this immunity from suffering is to be found not so much in the humane attitude of Government, as in the indifference of Irishmen generally to matters concerning their spiritual welfare. The mischief of it was that Government, misled by appearances, made no effort to take advantage of the situation, by providing for the religious needs of the nation. The policy of *laisser aller*, so noticeable in political affairs, was allowed even freer scope in matters of religion. For a time it seemed to answer its purpose. No doubt Archbishop Browne's iconoclastic proceedings provoked widespread indignation in the Pale; but the commotion soon subsided, and there is every reason to believe that had Government earnestly attempted to fulfil its obligations, by establishing an earnest and godly ministry, the result might have been a quiet acquiescence in Protestantism. But with its limited resources such an undertaking was beyond its power. We may regret the lost opportunity; but mindful of

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and the Act became a dead letter. By the Court Rolls I find she had her high Ecclesiastical Commissioners, who occasionally punished for not attending divine service. But this was rare; no more than two or three instances during her reign. One of those instances was a merchant of the name of Chamberlain, who was punished not only for not attending church, but what was much worse for not compelling an unruly wife to accompany him."

[1] See *Cambrensis Eversus*, with Kelly's note, iii, p. 23.

[2] See the argument of Sir J. Davies in the Case of Praemunire, or the Conviction and Attainder of Robt. Lalor, priest, being indicted upon the Statute of 16 Ric. II, c. 5, in *Le Premier Report*.

Spenser's remark that "it is an ill time to preach amongst swords," it is easier to see where Government failed than to suggest the remedy.

It is hard to say how long things might have continued to drift in this easy fashion, had not Ireland once more attracted the attention of Rome. The first attempt of Paul III to win the Irish over to his side had, as we have remarked, proved a failure. But as Elizabeth, after keeping Europe for a year or two in uncertainty as to her real policy, began "to bear herself openly as a heretic," and it became clear that, owing to intercourse with the English, the Irish were becoming infected with the contagion of heresy, the idea suggested itself to Pius IV of making things uncomfortable for her in Ireland. Perhaps, considering the causes that gave birth to the Counter-Reformation, it would be unfair to Pius to deny that, in interfering in Ireland, he was partly actuated by a desire to minister to the religious needs of the Irish, but his main motive, there can be no question, was a political one. His intervention, however it may be attempted to excuse it by the conditions of the so-called donation of Adrian IV, was a manifest breach of the doctrine *cuius regio, eius religio*, and being such not merely provided Elizabeth with a plausible pretext for not sending a representative to the Council of Trent, but justified her in taking the most stringent measures to counteract his machinations. In view of what followed it is only fair to her to remember that the incentive to persecution was given by Rome itself. For Elizabeth it may at any rate be claimed that she interfered in no man's lands until her own were first invaded, and, it may be added, with no man's conscience until her own was impugned.[1]

The consequences of Pius' action were far-reaching. The person chosen by him to carry out his plan was an Irishman, David Wolfe by name, a native of Limerick and a member of the Society of Jesus. Wolfe landed at Cork on 20 January 1561. His first impressions were not very favourable. But gradually it became evident not only to him but to others that his mission was to be crowned with success. Though obliged to work in secret his enthusiasm accomplished miracles in Munster. Thousands of both men and women flocked to hear him, anxious to confess their sins and to obtain absolution for their immoral way of life.[1] Of the nobility one of the first to throw in his lot with the new movement was James Fitzmaurice Fitzgerald, cousin-german of the reigning Earl of Desmond. Whether indeed Fitzmaurice was really the devoted son of the Church Wolfe believed him to be,[2] or whether religion was, as the Countess of Desmond hinted,[3] merely a cloak to hide his ambitious designs is an open question. At any rate Fitzmaurice was astute enough to recognise that it was to his interest to ally himself with Rome, and in this connection it is worth noting that in his Proclamation,[4] setting forth the causes of his rebellion, there is not one word of grievances either personal or national. In taking up arms he declares himself to be only obeying the command of Gregory XIII to deprive a "pretenced queen" "of the unjust possession" of a usurped kingdom. Nothing indeed can alter the fact that it was Fitzmaurice's Proclamation that opened the war of religion in Ireland. Up to that time, whatever the individual grievances of this or that nobleman might have been, there had been no word of religion.[5] Fitzmaurice's Proclamation changed the standpoint from which every Irishman regarded the English rule in Ireland. Henceforth, whether it was an Irish Interest or a native Interest that was in question, it was more or less a Catholic Interest as well.

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[1] For a reasonable defence of Elizabeth's attitude see Sir F. Walsingham in *Cabala, sive Scrinia Sacra*, Supplement, pp. 38-40. Lond. 1654.

It is a far cry from Fitzmaurice's Proclamation to the Remonstrance and Humble Petition of the Confederate Catholics, a further one still to the legislative enactments of the "Patriot Parliament"; but the steps that lead from the one to the other are easily traceable. From Cork the Counter-Reformation spread northwards and eastwards. Before long Waterford, Limerick and even Dublin were honeycombed by the Jesuits.[6]

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[1] Hogan, *Ibernia Ignatiana*, p. 12.

[2] *Ib.* p. 18.

[3] *Cal. State Papers*, Irel., 23 Nov. 1569, p. 423; and *cf.* Loftus and Wallop to Walsingham on the cause of the rebellion, 2 Nov. 1582, in Brady, *State Papers*, p. 64.

[4] See the Proclamation (in Latin) of the Rt. Hon. Lord James Geraldine, concerning the justice of that war which he wageth in Ireland for the Faith. *Cal. Carew MSS.*, 1569, p. 400.

[5] "Heretofore much discussion has arisen upon private quarrels; but now they have converted all their private quarrels to a general matter of religion." Notes by Sir N. Malby, *Cal. Carew MSS.*, 1580, p. 310.

[6] *Cf.* Drury to Walsingham, 16 April 1677, in Brady, *State Papers*, pp. 22-24, and Edmund Tanner, 11 Oct. 1577, in Hogan, *Ibern. Ignatiana*, p. 23: "multos ex nobilioribus regni, plures ex civibus diversarum civitatum et nobilibus

The enthusiasm with which the movement was taken up by the Irish resembled, as indeed it was, a religious revival, recalling the success which had attended the first preaching of the Gospel in Ireland. Unfortunately, however, for Fitzmaurice's plan of depriving Elizabeth of her crown the Irish nobility, with hardly an exception, showed no inclination to answer his call to arms. Whatever their own wishes may have been, and it was well known to Government that many of them harboured Catholic priests in their houses, and that the example set by Sir Patrick Barnewall of sending his son abroad for his education was finding constant imitation, the nobility and gentry of the Pale as a body manifested no signs of disloyalty. They had their own grievances in the matter of cess; they were Catholics almost to a man; they resented their contemptuous treatment by Government; but they had no desire to risk their estates by participating in a policy which threatened to break the connection with England. As yet the cleft that separated them from the mere Irish was too wide to be bridged by the fact of a common religious creed. But that even one of them should have had the courage to cast his scruples to the wind and throw in his lot with Fitzmaurice was significant of the dangerous direction things were beginning to take in the Pale.

James Eustace, Viscount Baltinglas, was, like his father Rowland, whom he succeeded in 1579, a zealous Catholic, and had already in June 1578 been fined 100 marks by the Court of High Commission for openly attending mass. During a visit to Rome, he fell under the influence of Dr Nicholas Sanders, and returning to Ireland, he had no sooner stepped into his father's shoes than he showed a design to assume the mantle which had just fallen from Fitzmaurice's shoulders. Through his sister Eleanor, the wife of Sir Edmund Butler, Ormonde got wind of his intentions, and wrote to warn him of his folly. But Baltinglas was beyond the reach of argument. He had, he replied, been commanded by the highest authority on earth to take the sword, and though his own power was not very great he would do his utmost to maintain the truth. For "questionless" he proceeded to lecture his brother-in-law, "it is a great want of knowledge and

reconciliatos, a scutina schismatis acceptos ad Ecclesiae sanctae gremium et unitatem recepimus, et indies recipimus; et multo plures reciperemus, si praesens persecutio, et bonorum, vitae, et libertatis privatio non impediret eos."

more of grace to think and believe that a woman, incapax of all holy orders, should be the supreme governor of Christ's Church; a thing that Christ did not grant to his own mother. If the Queen's pleasure be, as you allege, to minister justice, it were time to begin; for in this 20 years past of her reign we have seen more damnable doctrine maintained, more oppressing of poor subjects, under pretence of justice, within this land, than ever we read or heard, since England first received the faith, done by Christian princes."[1] His sermon had no effect on Ormonde, who plainly told him he was either a fool or a knave. But there were others not so steadfast in their allegiance as was Ormonde. "I trust," Baltinglas wrote to the Earl of Kildare, "the day shall never come that strangers shall say that when Christ's banner was in the field on the one side, and the banner of heresy on the other side, that the Earl of Kildare's forces were openly seen to stand under the heretical banner."[2] Kildare, with the instincts of a gambler hesitated. His sympathies were on the side of Baltinglas; but the risk was too great, and in the end he ranged himself reluctantly on the side of Government.[3] His conduct was characteristic of the attitude of the gentry of the Pale generally. "The Viscount Baltinglas," wrote Lord Chancellor Gerard to Burghley, "has the oaths of Turlough Luineach, O'Donnell, O'Rourke, O'Conor Sligo, the Byrnes, Tooles, Kavanaghs, O'Conors, O'Mores, and the hearts of almost all."[4] But hearts alone were of little use, and before many months had passed away Baltinglas, his lands forfeited and himself a proclaimed traitor, was a homeless fugitive on the Continent.

Government was not blind to the significance of his rebellion. The very fact that a nobleman of English extraction could fall so low as to seek an alliance with the "mere" Irish was in itself so strange as to be almost unintelligible to Englishmen.[1] But there was no desire either on Elizabeth's part or on that of her advisers to minimise the danger. The difficulty was to discover what course to pursue. At first Elizabeth had been inclined to attribute Baltinglas' rebellion to the severity with which he had been handled by the Court of High Commission and thought matters might be patched up with a general pardon. But against any such course the Deputy, Arthur lord Grey, earnestly protested. If her Majesty, he wrote to Walsingham, would not go on thoroughly with the work of conquest, it would be better for her to withdraw from the country altogether. Half measures were useless. The fact was that, in trying to reform the country, she had begun at the wrong end. " Rebellion and disobedience to the Prince's word are chiefly regarded, and reformation sought of. But God's cause is made a second, or nothing at all." In the many instructions he had received, where, he asked, was there "one article that concerns the looking to God's due service, seeing of his Church fed with true food, and repressing of superstition and idolatry ? " But it was useless to argue. Baal's prophets would prevail. " I see it is so. I see it is just. I see it past help. I rest despaired. Help me away again for God's sake." [2] Grey's opinion was shared by Sir William Pelham and Sir Nicholas Malby ; but there were others who looked askance at his proceedngs, and thought his severity was only making matters worse. He is a medicine, wrote Fenton to Walsingham, which does not suit the sore.[3] In November 1581 three gentlemen of the Pale, George Netterville, Robert Sherlock and Christopher Eustace, were executed for taking part in Baltinglas' rebellion. On their way to the scaffold, Thomas Jones, afterwards Archbishop of Dublin, made an attempt to convert them. One of them replied, " Vade Satana ; vade post me Satana. Is it not enough for you to have our lives, but that you must seek also to draw us from our religion ? " [4]

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[1] *Cal. Carew MSS.*, 1580, p. 289. It is significant of the change that was coming over the Pale to compare this letter of Baltinglas with one from Sir Edmund Butler to Fitzmaurice on 24 Aug. 1569 in which Butler, while expressing his determination to fight to the death to maintain his lands against Carew, declares that he will have nothing to do with the bringing in of Spaniards or the setting up of the mass, "which things James was earnest with me for." See Maclean, *Life of Carew*, p. 226.

[2] *State Papers*, Irel., Eliz. lxxiv, 62.

[3] See the Confession of Christopher Barnewall in Brady, *State Papers*, p. 67: "He said further that all Irishmen in Rome cursed the Earl of Kildare for breach of his promise, and prayed for the Viscount and Earl of Desmond and all their confederates."

[4] *State Papers*, Irel., Eliz. lxxiv, 77.

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[1] " Your second letter, with the report of Owen O'Gormigan, concerning the Viscount Baltinglas and Feagh M'Hugh is very strange, that a nobleman of the Pale should be so forgetful of himself, and be so united to a man of base condition." Pelham to Ormonde, 20 July 1580, *Cal. Carew MSS.*, p. 279.

[2] *State Papers*, Irel., Eliz. lxxxii, 48.

[3] Brady, *State Papers*, p. 55.

[4] *Ib.* p. 57 ; *cf.* Holing's " Perbreve Compendium " in Moran, *Spicilegium Ossoriense*, i, p. 95. It should be observed that Holing while claiming them

Though justifiable no doubt from Grey's standpoint, this display of severity only served to aggravate the situation. "Many tears," wrote Nicholas White, the Master of the Rolls, to Burghley, "are shed in this land." The violence of Government was tending only to waste the revenue, and depopulate the Pale, where the seed of English blood had ever been a strong garrison for the Crown, to the advantage of the mere Irish.[1] But Grey had got the bit between his teeth. He knew that his conduct was severely criticised[2]; but the knowledge made him only more determined to have his own way. A new conspiracy, in which a number of the gentry of the Pale, including the Chief Justice of the Common Pleas, Nicholas Nugent, were involved, had come to light, and despite an order from the Privy Council requiring him to stay proceedings against the conspirators, Grey allowed the law to take its course, and early in 1582 there were fresh executions.[3] But such a display of puritanical zeal was, however it might meet with the approval of men like Spenser,[4] little to Elizabeth's liking, and in May Sir Nicholas Malby arrived from England with express orders for a general act of pardon and oblivion. It was the only sensible step if the gentry of the Pale were not to be driven headlong into rebellion. As it was Grey's severity, instead of weakening the hold Roman Catholicism was gaining on the minds and affections of the Irish, had given a great impetus to the Counter-Reformation. In August Grey returned to England a discredited statesman. His successor, after an interregnum lasting nearly two years, during which the government was managed by the Lords Justices Loftus and Wallop, was Sir John Perrot.

Meanwhile Elizabeth had been carefully reconsidering her

as the first martyrs of the faith in Ireland among the laity, admits that they were legally tried and condemned for high treason.

[1] *State Papers*, Irel., Eliz. lxxxvii, 55.

[2] *Ib.* lxxxviii, 9.

[3] *Ib.* lxxxix, 9; and *cf.* Holing, *ut supra* p. 99.

[4] "I remember in the late government of the good lord Grey, when after long travail and many perilous essays he had brought things almost to this pass . . . that when it [Ireland] was even made ready for reformation, and might have been brought to what her Majesty would, like complaint was made against him, that he was a bloody man and regarded not the life of her subjects no more than dogs, but had wasted and consumed all, so as now she had nothing almost left, but to reign in their ashes; her Majesty's ear was soon lent thereunto, and all suddenly turned topsy turvy; the noble lord was eft-soons blamed; the wretched people pitied; and new counsels plotted, in which it was concluded that a general pardon should be sent over to all that would accept of it," etc. *Present State*, p. 655.

position in Ireland. Grey's government had proved very expensive; but now that the Earl of Desmond's rebellion had been brought to a successful conclusion, she was anxious to revert to her old temporising policy in the hope of regaining the good will of her Irish subjects. Her chance of doing so depended largely on her ability to keep in check the rising spirit of Puritanism in England. In her Instructions to her new Deputy, she had not one word to say on the all-important question of religion. On the contrary Perrot was ordered to confer with the Council as to "what course of government may be held, so as justice may take place, our charges be lessened, and revenues increased, and our subjects there not oppressed."[1] To this end he was authorised to take steps to call a Parliament. Nothing, as remarked, had been said about religion; but when Parliament met in April 1585 it was rumoured that in addition to a proposal to commute cess and other aids into a land tax, Government, amongst other things, intended to extend to Ireland an Act (27 Eliz. c. 2) recently passed in England, requiring all Jesuits to leave the country within forty days under penalty of death, and rendering all who harboured them liable to the same punishment. Now whether it was this last mentioned proposal, as seems likely, or the scheme for the commutation of cess, as Sir N. White maintained,[2] that aroused their indignation, the attitude of the Commons was from the first extremely antagonistic to Government. Failing, however, as previously in 1569, to secure a Speaker out of their own ranks, the representatives of the Pale, or, as they were now beginning to be called, the Recusants, directed their efforts to secure the rejection of a Bill for the temporary suspension of Poynings' Law, on the ground that they had not been consulted as the Statute required on the legislative measures intended to be submitted to Parliament. Both sides were pretty evenly balanced,[3] and owing to the defection of some members of the "Court" party the efforts of the

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[1] See the Instructions in Lodge, *Desid. Curios. Hib.*, i, pp. 35-49.

[2] *State Papers*, Irel., Eliz. cxvi, 56.

[3] The House of Commons consisted of about 120 members. In the absence of any precise information it is of course impossible to give an exact account of its constitution; but from a careful analysis of the names and comparison with a list compiled by Sir J. Davies in 1611 (*Cal. Carew MSS.*, pp. 168-169) it would seem that the majority were Catholics, but that Government could reckon on about 50 to 52 sure votes on all occasions. The Speaker was (Sir) Nicholas Walsh, M.P. for Waterford city, afterwards Chief Justice of the Common Pleas.

Recusants in this respect proved successful. The result was that Perrot, after vainly endeavouring to argue them into submission, was obliged to prorogue Parliament. During the recess a compromise was effected. The Jesuits' Bill was withdrawn; the claim of the gentry of the Pale to be consulted as to what Bills should be transmitted to England was admitted[1]; and order was given not to press the taking of the oath of supremacy on them.[2] Accordingly when Parliament reassembled in April 1586 no objection was made to the suspension of Poynings' Law. Bills were passed for the attainder of the Earl of Desmond and his accomplices, against fraudulent conveyances, forging of evidences, wilful perjury, counterfeiting foreign coins, witchcraft, etc. But on no account would the Commons consent to Perrot's scheme for a commutation of cess, and in his disgust at the result he dissolved Parliament on 14 May. Twenty-six years were to elapse before another was called.

The closing years of Elizabeth's reign may be passed over rapidly. Something has already been said of the plantation of Munster, the settlement of Monaghan, and the rebellion of Hugh O'Neill. To deal with them at greater length is not here necessary. It has been seen how, owing to the exertions of the Jesuits, the question of religion, which at the beginning of Elizabeth's reign had been regarded on all sides with indifference, had gradually grown to be one of paramount importance; and how the consciousness of a common religious belief, assisted by the agrarian grievances of the native Irish on the one hand and the constitutional grievances of the gentry of the Pale on the other, was serving to draw these hitherto hostile elements together in opposition to Government. As yet the antagonism of race had proved stronger than the bonds of a common religion. But the alliance of Lord Baltinglas with O'Neill, O'Rourke, and Feagh M'Hugh O'Byrne had pointed to the possibility of a time coming when men of English descent would unite with the native Irish in an effort to free Ireland from the yoke of their common enemy. With the progress of Puritanism in England and of Jesuitism in Ireland the two countries were gradually drifting into opposing camps. The viceroyalty of Lord Grey had been significant of a growing dissatisfaction on the part of Englishmen at the course affairs were taking in Ireland, and of an earnest desire to bring matters between them and "Grantorto" to an issue. It required all Elizabeth's authority to check such designs. Whether indeed she clearly realised the course things were taking may be doubted. But she saw that it would not do to push matters between herself and the gentry of the Pale to extremities. The lesson of Baltinglas' rebellion had not been lost upon her, and if she had for a moment yielded to Grey's policy of severity, she was anxious to retrieve her mistake and patch up matters as quickly as possible. In doing so she had at least the sense to see that religious persecution would only make matters worse, and to her prudence in this respect she owed it that, when the day of trial came and rebellion was almost universal in Ireland, Tyrone could find little footing in the Pale.[1] For herself she would have been content if the Irish would keep the peace, and concede her a nominal acknowledgment of her supremacy, in the hope that things would right themselves in time. Unfortunately such a course was no longer possible. Her enemies had discovered that Ireland was the weak spot in her armour, and openly spoke of it as the back door to England. Struggle as she liked she could not free herself from the meshes of the Jesuit conspiracy. The attempt of Philip II to wrest the sceptre from her hand by force had recoiled on his own head, and before she died she had the satisfaction of knowing that she had brought the "arch-traitor" Tyrone to his knees. But in the supreme matter of religion the victory was none the less not with her but with Rome.

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[1] *Cal. Carew MSS.*, 1585, pp. 403-404.

[2] *State Papers*, Irel., Eliz. cxxi, 50.

II

IRELAND UNDER JAMES I

1603-1625

It has been said that "as Elizabeth grew old, it was generally felt that great changes were impending. . . . Men were everywhere asking for greater relaxation than she had been willing to give them."[2] The statement is as true of Ireland as it is of

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[1] See on this point Tyrone's Proclamation to the gentry and cities of the Pale, 15 Nov. 1599, in Meehan, *Fate and Fortunes of the Earls of Tyrone and Tyrconnel*, 2nd Ed., pp. 30-32. The only satisfactory copy of this document, with which I am acquainted, is in *MSS. T.C.D.* E. 3. 10. f. 31 *sqq.*

[2] Gardiner, *Hist. of England*, i, p. 42.

England, only whereas in England relaxation meant concessions to Puritanism, in Ireland it meant concessions to Roman Catholicism. Half-way between English Puritanism and Irish Catholicism stood the Church of England hated and despised of both alike. Could the Crown as legal head of that Church succeed in keeping its position, and in holding both Puritanism and Catholicism in check, then all might be well and peace be preserved. But the situation was one of great danger. The slightest yielding in the one direction could only be interpreted as repression in the other. We know the result—the Irish Rebellion and the Cromwellian Settlement. At present it is sufficient to have stated the problem.

As Elizabeth's reign drew to a close the one question uppermost in the minds of Irishmen was what course her successor, James I, would steer. Men can generally find reasons for convincing themselves of what they want to believe, and most Irishmen were convinced that the accession of the son of Mary Stuart would mean for them the beginning of an era of religious liberty. Hardly then had the news of James's accession reached them, than, without waiting to see how far the event would justify their confidence, they began to act as if the whole religious policy of Elizabeth had been reversed by her successor. Everywhere throughout the Pale and in the large seaport towns the Protestants were driven out of the religious edifices they had usurped, the altars so long desecrated by heresy were reconsecrated, the mass which had only been possible with the connivance of the magistrate was once more openly celebrated, while in every church prayers were offered for the welfare of James and Te Deums sung in gratitude for their new-found liberty.[1] Great therefore was their surprise and indignation when, instead of the approbation they expected, Government promptly interfered to put a stop to these proceedings. The consequence was that at Waterford, Limerick and Cork in particular matters assumed a very threatening aspect. In more than one place resistance was offered to the proclamation of James, and there was a good deal of seditious talk about the claims of the Infanta Isabella, the eldest daughter of Philip II, as legitimate heir to the throne. Eventually, the disturbances were suppressed, but the situation remained a perplexing one.

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[1] "Audita vero Reginae morte, Deus immortalis! quis Catholicorum Ibernorum in profitenda Religione emicuit ardor, quae ad templa repurganda et restauranda alacritas, qualis ad supplicationes, sacramenta, conciones fuit confluxus! Certe non modo dicendi facundiam facultatem humanum sed etiam fidem superat." Contemporary Catholic account in *Spicil. Ossor.*, iii, p. 80; and *cf.* Petition of the Marquess di Villena, *ib.* i, p. 111. For a Protestant account see Farmer's Narrative in *Eng. Hist. Review*, xxii, pp. 529-533.

Neither Government nor the Catholics knew exactly what the King's intentions were,[1] and the latter, still believing that Government was acting on its own initiative, insisted on appointing agents of their own to proceed to London to submit their case personally to James. Being admitted to an audience the deputation was informed that the King "though he would much rejoice if the Irish Catholics would conform themselves to his religion, yet he would not force them to forsake their own."[2] Overjoyed at the result the agents hastened home to inform their compatriots that the King had promised them toleration of their religion. In its unwillingness to credit the news, Government besought James to reconsider his decision; and the King, being thus brought to book, replied that the Catholic agents must have misunderstood his intention, "for that he meant, in the interior, he would not force them against their conscience; but in the exterior, it was his will they should conform themselves to his laws, by taking the oath as it was here [*sc.* in England] taken, and going to the church."[3]

The explanation did not, so far as Government was concerned, greatly improve matters. It was evident that James's inclination to a toleration of Roman Catholicism was better grounded than Irish officials had supposed; and as for going to church it was clear that, if, as the Catholics alleged, there were no churches for them to go to, they could not reasonably be punished for not attending divine service. To clear up this point orders were issued in January 1604 to the Lord Deputy and Council, to cause a thorough inquiry to be made into the state of religion in Ireland, with a view to the establishment of a zealous and learned ministry there. The result of the inquiry, despite the efforts of Archbishop Loftus and the Bishop of Meath to write everything "*bene*" when the verdict was "*omnia pessime*," was a confirmation of Sir John Davies' statement that throughout the greater part of the country the churches were in ruins, and that in most of them there was no divine service, no christening of children, no receiving of the sacrament, no, not once a year; in a word, no more demonstration of religion than amongst Tartars or cannibals.[1] In one respect, however, the advisers of the King were unanimous. Nothing, they insisted, could be done to establish a godly ministry until the swarms of titulary bishops, seminaries, Jesuits, priests and friars were expelled the country, so carried away were the people by the enticements of this rabble.[2]

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[1] "Since the late commotions in the towns, happily stayed by the Lieutenant, a great swarm of jesuits, seminaries, friars, and priests, notwithstanding their late danger, frequent the towns and other places in the English Pale and borders more openly and bolder than before; few of the best houses in the Pale are free from relieving and receiving them. The Council find that they are under a strong and perilous impression, and so persuade the people, that there shall be a toleration of religion; and for the procuring of it, sundry of the better sort of the Pale and towns are sent as agents to Court to solicit the same . . . they [the Council] urge the Lords of the Council to move the King to consider of some present settled course concerning religion, to bridle the boldness and backslidings of the Papists before matters grow to further danger. For though the Deputy and Council apply the authority of the State with as great discretion as they can (not knowing as yet what will be his Majesty's course on the point of religion) yet it avails little to stay the case, for they make a contempt of all their doings, reposing altogether upon their prospect of toleration." Lord Deputy and Council to the Privy Council, 2 July 1603, *Cal. State Papers*, Irel., p. 66.

[2] See Letter of Intelligence in *Cal. State Papers*, Irel., 1614, p. 542. This document though assigned by the Editors of the Calendar to 1614 really belongs to 1603. For a fuller account see the Petition of the Marquess of Villena in *Spicil. Ossor.*, i, p. 112; and *cf.* Brief Relation in *Cal. State Papers*, Irel., 1613, p. 393.

[3] Letter of Intelligence *ut supra*, p. 543.

Indeed so convinced was Sir Henry Brunker, Lord President of Munster, of the reasonableness of this view, that, without waiting for orders, he published a Proclamation on his own account on 14 August 1604, commanding all Jesuits, seminaries and massing priests to quit the province before 30 September, on pain of imprisonment during his Majesty's pleasure and a fine of £40, half to go to the informer, half to the King's use.[3] It was a wholly illegal proceeding, and feeling that he had exceeded his authority he wrote to Cecil to excuse himself from the "imputation of injustice or indiscretion, God bearing him witness that he aimed at nothing but the glory of his Creator and the service of his Majesty, which could in no other way be advanced than by emptying the corporations of all these wicked priests, the seminaries of mischief and the very firebrands of rebellion."[4]

The Catholics were of course not slow to protest against Brunker's proceedings, and an attempt was made to take advantage of the peace which had just been concluded to induce

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[1] Davies to Cecil, 20 Feb. 1604. *Cal. State Papers*, Irel., p. 143; and see particularly the Bishop of Ossory's report, *ib.* p. 179.

[2] *Ib.* p. 169.

[3] *Ib.* p. 190.

[4] *Ib.* p. 193.

Philip III to intervene with James on their behalf.[1] But, with the best will in the world to concede the toleration asked for, James was beginning to find the current of public opinion in England too strong to be resisted. It is impossible not to sympathise with him in his efforts to steer clear of persecution, even if in this, as in most other matters, his motive was chiefly a selfish desire to follow the line of least resistance. His intention, he wrote to Sir Arthur Chichester, whom he had designated for the post of Lord Deputy, was to call a Parliament "to lay open and reform the burdens and inconveniences of State, and to constitute new laws for the future." Till this could be done he desired "to have a present consultation of all such things as might tend to the better establishment of the true religion." [2] But his efforts to postpone his decision were unavailing. Every post from Ireland brought a reiterated demand for repressive measures. "Experience," wrote Chief-Justice Saxey, "teaches that secure suffrance of enormities in government is more hurtful to the Commonwealth than rage of rebellion." [3] Sir John Davies was at hand with instances of the growing audacity of the Catholics. One Shelton, who had been elected mayor of Dublin, had refused to take the oath of supremacy, and the manner of his refusal was worse than the refusal itself. In Westmeath a minister had been interrupted in the burial of the dead. In Kilkenny an outrage had been committed on the person of the Dean of the Cathedral Church. At Limerick, a priest, being arrested by warrant of the Lord President, had been violently rescued by the mob. The only remedy for these disorders, in the opinion of the writer, was the banishment of the priests; the people would then be quickly reclaimed.[4] Chichester's advice was on the same side,[5] and James finding further resistance impossible gave his consent, on 4 July 1605, to a Proclamation commanding all Jesuits, seminary priests and other priests to depart the kingdom before 10 December, and requiring and admonishing all his subjects to attend divine service in their parish churches every Sunday under penalty of having the laws strictly enforced against them.[6]

It was a wholly futile proceeding. The Proclamation was published in Dublin early in October. The Sunday following Davies noted with satisfaction that "notwithstanding the plague and the absence of the Lord Deputy," the attendance at Christ's Church was larger "than he had seen at any time since he came into the kingdom."[1] But his optimism was not shared by others. Indeed so far were the Catholics from showing any intention of obeying the Proclamation that Fenton noticed they were taking active measures to frustrate it, and had appointed an agent to lay their case before the king.[2] With the object of breaking their resistance before it had time to ripen into revolt Chichester at once issued letters of mandate to sixteen of the leading Catholics of Dublin to attend divine service with him at Christ's Church on the following Sunday.[3] Not one of the persons cited obeyed the summons. Thereupon they were called before the Court of Castle Chamber, and pleading that, having been brought up in the Roman Catholic religion, it was against their consciences to go to church, they were promptly fined, some £100, others £50.[4] Such high-handed measures did not improve matters.

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[1] Petition of the Marquess of Villena *ut supra*. The Treaty of London, 19 Aug. 1604.

[2] *Cal. State Papers*, Irel., 1604, p. 206.

[3] *Ib.* p. 217.

[4] *Ib.* ff. 212-215.

[5] *Ib.* p. 266.

[6] *Ib.* pp. 301-303.

At the first intimation of Government to enforce the Proclamation a "giant-like petition," signed by over 200 of the leading gentry of the Pale, was presented to the Deputy, praying him to suspend proceedings until the petitioners had laid their case before the king.[5] Amongst those who had taken a leading part in getting it up was Sir Patrick Barnewall, and being taken sharply to task for his conduct by the Deputy, he attempted to justify himself in language which caused Chichester to order his committal to the Castle. "Well," said he, "we must endure as we have endured many other things." "What mean you by that?" retorted the Deputy; "what have you endured?" "We have endured," said he, "the miseries of the late war, and other calamities besides." "You endured the misery of the late war!" replied the Deputy. "No, sir; we have endured the misery of the war; we have lost our blood and our friends, and have indeed endured extreme miseries to suppress the late rebellion, whereof your priests, for whom you make petition, and your wicked religion, was the principal cause."[6]

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[1] *Cal. State Papers*, Irel., 1604, p. 334.

[2] *Ib.* p. 338.

[3] *Ib.* p. 355.

[4] *Ib.* pp. 348-349.

[5] *Ib.* pp. 362-365.

[6] *Ib.* p. 372.

Nothing could better describe the state of tension between the Government and the Catholics than this little scene in the Council Chamber. When the petition was transmitted to England it was accompanied with a hint from the Council that it would be well if no attention was paid to it. But in England the recent discovery of a widely ramified plot for blowing up the Parliament had impressed Government with the necessity of caution. In a letter, intended only for the eye of the Lord Deputy, the Lords of the Privy Council, without directly reprimanding him for his over-zealous proceedings, suggested that a more moderate course would probably be attended with better results. No doubt it was very desirable that the reformation of the people of Ireland should be taken in hand ; but when it was considered how lately they had been reduced from an almost general revolt, and how apt they might be to relapse, and when it was remembered that a main alteration in religion was not suddenly to be obtained by forcing against the current, but gaining by little and little, as opportunity offered, they were inclined to advise a temperate course between both extremes, neither yielding any hope of toleration of their superstition, nor startling the multitude by any general or rigorous compulsion. Admonition, persuasion and instruction should be first tried, before severity of law and justice were used. Some good instruments well chosen by the clergy should take special pains to plant religion where the people have been least civil, because there they were more easily to be won, than where, by notorious negligence, a contrary opinion had taken root, which time alone could remove. As for the priests and friars it would of course be well if they were banished, provided that could be conveniently done, but there should be no curious and particular search made for them. In conclusion the Lords of the Privy Council suggested that the gentlemen who had been committed to the Castle might be released on their giving security to appear when called upon.[1]

Chichester professed himself grateful for the advice tendered him, but unfortunately showed no intention of following it. On the contrary, by his orders a vigorous attempt was made to carry out in Munster and Connaught the same policy which had caused so much trouble in the Pale. At Wexford, Waterford, Cork, Limerick, Cashel, Clonmel and Galway a rigorous review was taken of the conduct of the Catholics in those towns. In the case of the merchants and wealthier citizens letters of mandate were issued requiring their attendance at divine service, and, on their refusal to obey, good round fines were placed on them, with imprisonment till they were paid.[1] In the case of the poorer Catholics, who persistently abstained from church, the shilling fine, due for disobedience to the Act of Uniformity, was strictly exacted. Here and there, particularly at Clonmel, which swarmed with priests, there was a difficulty in finding bills of indictment against the offenders; but in general there was little opposition, which was ascribed to the fact that the fines exacted were mainly devoted to charitable purposes. The President of Munster was delighted at the result. His "moderation in punishing" had, he wrote, so far prevailed that many of the towns were almost wholly reclaimed. Even Cork, hitherto so stubborn, was so well confirmed that its mayor, "having been brought up amongst the Spaniards and for a long time extremely wilful," had by a little correction been brought to church, and so well satisfied in conscience as to offer to take the communion with him.[2]

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[1] *Cal. State Papers*, Irel., 1604, pp. 389-390, and *cf.* p. 461.

It was an unfortunate commentary on his letter that, at the very moment Brunker was penning this glowing description of the progress of Protestantism in Munster, the Catholics of Cork were busily engaged in petitioning against his arbitrary conduct, alleging that his system of levying distress for fines, by entering their houses, taking their goods and keeping their wives and children from relief, besides irritating the citizens, was ruining trade and driving merchants from the city. Their petition had its desired effect. Writing privately to the Lord President, the Lords of the Privy Council took him sharply to task for his proceedings. They did not, they wrote, question his good intentions, but he should remember that "the same rule serveth not fitly for Ireland and for England," and in the case of simple recusancy, or secret exercise of their superstition in their private houses, he would do well to hold a more moderate course than was considered advisable in England. As it was, they were afraid that the course he was pursuing, "not usual in times past, nor warranted by the laws of that kingdom," was calculated to "stir evil humours to a desperate and dangerous resolution in another kind."[1] To Chichester they were even more explicit. "The extraordinary forms held by some of the King's ministers in Ireland [they wrote] would produce a better effect if they were carried in another temper; and though nothing could be further from his Majesty's heart than a toleration of the Catholic religion, yet when the loyalty of the towns during the late rebellion was borne in mind (which had it been otherwise his lordship and the rest could well consider what the consequences would have been), it did not stand well with the policy of the times to drive them into desperate courses, by a too curious inquisition and straining of the laws for their punishment."[2] This time the reprimand was not lost on Chichester, and in consequence affairs seemed at last to be drifting into a quieter channel, when an event occurred which threw the country once more into a violent state of excitement. On 7 September 1607 it was known throughout Ireland that a day or two before the Earls of Tyrone and Tyrconnel, accompanied by Maguire and a number of other persons had suddenly left the country. What did their flight mean? The question was on everyone's lips. Was it fear that had driven the aged Earl of Tyrone to this step? Or a guilty conscience? Did his flight portend a new rebellion?

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[1] For a list of persons fined and the fines exacted as contained in the Exchequer Roll see *Cal. State Papers*, Irel., 1606-1608. Pref., pp. xciii, xcix.

[2] *Ib.* p. 25.

The "flight of the Earls" is one of those episodes in Irish history of which it is impossible to give an entirely satisfactory explanation, simply because it is a question of motives, and what Tyrone's motives were we cannot precisely say. What he alleged as his reason for taking such an extraordinary step is another matter—viz. that he thought it better to make an honourable escape with his life and liberty only, than by staying, with dishonour and indignation, to lose both life, liberty and country.[3] Only if we accept this explanation we are confronted with the difficulty that, so far as the evidence goes, there is no sign that either his life, liberty, or country was in the slightest danger. Nor on the other hand is there any reason to believe that he had been secretly plotting against Government, and that his flight was due to a guilty conscience. All that can, with any probability, be surmised is that he fled because he was dissatisfied with his position as regarded his urriaghs, and was misled by his vanity into supposing that he would be able to press his claims on Government more effectively, when backed up by his Catholic friends on the Continent than he could in Ireland. If so he was speedily disabused of his notion, and finding himself of less importance abroad than he had imagined, he would gladly have retrieved his blunder by any means in his power.[1] Unfortunately this was impossible and the consequences of his ill-considered action were to prove as disastrous to his country as to himself.

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[1] For a list of persons fined and the fines exacted as contained in the Exchequer Roll see *Cal. State Papers*, Irel., 1606-1608, pp. 138-139.

[2] *Ib.* p. 137.

[3] See Earl of Tyrone's Articles in *Cal. State Papers*, Irel., 1607, p. 382.

But whatever his motives may have been it is certain that his flight and that of his companions took Government entirely by surprise,[2] and it was some time before Chichester could quite grasp the situation. When he did so, it was to suggest that "these late occurrences are providential to enable his Majesty to repair the error committed in making these men proprietary lords of so large territories, without regard of the poor freeholders' rights, or of his Majesty's service and the Commonwealth's, that are so much interested in the honest liberty of that sort of men." [3] What did his suggestion mean? Hitherto since Elizabeth had, as we have seen, definitely abandoned the policy of plantation as a means of reducing Ireland to civility and good order, there had been no sign of any intention on James's part to revive it. On the contrary by accepting Tyrone and Tyrconnel to mercy, and restoring them to the full enjoyment of their lands, he had, much to the annoyance of the hungry courtiers, who had been hoping to raise their fortunes on their ruin,[4] clearly demonstrated his desire to let bygones be bygones, and by a policy of conciliation to heal the wounds inflicted by the long war. Perhaps the knowledge of his own intrigues with Tyrone had materially contributed to this result. Anyhow the opportunity of effecting a plantation in Ulster had been neglected, and hitherto James had shown no sign that he regretted his decision. The agreement, however, only concerned those lands in the personal possession of the Earls of Tyrone and Tyrconnel. As for those lying outside it, and in particular the counties of Fermanagh and Cavan, the matter stood on a different footing.

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[1] See Sir Tho. Edmonds to Salisbury, 4 Nov. 1607, *Cal. State Papers*, Irel., p. 631, and Earl of Tyrone to the Earl of Somerset, Dec. 1613 in Meehan, *Fate and Fortunes*, p. 377.

[2] See particularly Chichester to Privy Council, 7 Sept. 1607, *Cal. State Papers*, Irel., p. 261.

[3] *Ib.* p. 262.

[4] *Cf.* Sir John Harington to Dr John Still, 1603, in *Nugae Antiq.* Ed. 1792, ii, p. 149.

In July 1606 Chichester accompanied by Sir John Davies paid a visit to Ulster. The object of the Lord Deputy was to inquire into the working of the settlement effected by Elizabeth with the MacMahons of county Monaghan, and, if possible, to effect a similar settlement with the O'Reillies of county Cavan and the Maguires of Fermanagh. In the course of his investigations Davies became aware for the first time, as he says, that Tyrone was not really the legal owner of the lands occupied by him. For by the words of his patent he possessed no more than his grandfather Con O'Neill possessed, and all that Con possessed were certain demesnes at Dungannon, Benburb and Strabane, with the *services* of his free tenants. As for the *lands* of the latter they were, by virtue of the statute 11 Eliz. c. 2, resumed and invested in the Crown. Consequently, and notwithstanding the Earl's patent, they were at that very moment actually in the King's possession. "I might," Davies complacently proceeds, "ex officio, by reason of the poor place I hold, prefer informations of intrusion against the occupiers of those lands; but in respect of the place where the lands lie, the persons that hold them, and other circumstances, I do forbear to do it without special direction or permission of the Council of State; . . . howbeit, I see no reason why the King's ministers should make any doubt to demand the King's own land of any subject here." [1]

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[1] *Cal. State Papers*, Irel., 1606, p. 20. The fallacy of Davies' argument is apparent. For, it is clear that if the patent granted to Con O'Neill was granted under a misapprehension of the laws regulating the possession of lands under the tribal system, the consequences of that mistake could not with any show of justice be laid to the charge of Con. That patent, after being forfeited by Shane, had been renewed to Hugh and confirmed by James, and as everyone, including by his own admission (*Cal.* 1606, p. 19) Davies himself, believed that, by the terms of it, Tyrone was legally possessed of the lands occupied by him, it is manifestly absurd to force another construction on it. Either Tyrone was legal owner of the lands occupied by him, in which case the freeholders had no propriety rights; or the freeholders were proprietors, in which case the plantation could not have taken place. It is interesting to note that Davies subsequently abandoned the position taken up by him in this letter in favour of the former of these alternatives. The Act of 11 Eliz. c. 2 has no bearing on the subject.

To his credit James showed no inclination to take advantage of Davies' wonderful discovery. On the contrary when rumours began to reach him of the suspicious behaviour of the Earl of Tyrone, and of messages passing between him and his friends on the Continent he did his best to discountenance them. His Majesty, the Lords of the Privy Council wrote to Chichester in November 1606, "considering that many of the better sort of that nation (being nursed up in rebellion) are apt to be discontented, and, in particular quarrels, are ready to accuse one another," thought it advisable "to be more cold in calling them in question," and was of opinion that, unless something definite could be proved against them, it would be sufficient "to let the suspected know, that, though they had been accused, the King was unwilling to doubt their loyalty as long as he should find reason to esteem them."[1] How little desirous he was to give the Irish cause of offence is equally apparent from the instructions issued for the settlement of Cavan and Fermanagh, wherein it was specially stipulated that there should be no wholesale importation of English colonists, "lest if many strangers be brought in among them, it should be imagined as an invention to displant the natives, which would breed a general distaste in all the Irish."[2] Even now, when the flight of the Earls had placed the Crown in possession of wide tracts of land, there was at first no apparent intention on the part of Government to take advantage of it for purposes of plantation. It is true Chichester had written that the opportunity had been given the Crown of repairing the mistake made in constituting Tyrone and Tyrconnel proprietary lords of such a wide extent of territory to the disregard of the poor freeholders' rights; but he had no intention of ousting the latter to make way for English planters.

His plan, as expounded by himself, was that the King should assume the countries of the fugitives into his possession, divide the lands amongst the inhabitants—to every man of note or good desert so much as he could conveniently stock and cultivate by himself and his tenants and followers; bestow the rest upon servitors and men of worth in Ireland, and withal bring in colonies of civil people of England and Scotland, with condition to build castles and storehouses upon their lands.[3] It is worth while to notice the order in which the claimants were to be treated—natives, servitors, planters. In other words what Chichester had in view was an extension of the plan, which had worked so well in the case of the MacMahons of Monaghan, to the inhabitants of the now forfeited districts. But after the natives had been liberally provided for there would be plenty of land to serve for a plantation. It does not fall within the scope of this Introduction to describe in detail the settlement of Ulster. It is well known that, before any definite decision had been arrived at, the rebellion of O'Cahan and O'Dogherty led to further confiscations, which placed at the disposal of Government for plantation purposes the whole of Ulster with the exception of the counties of Antrim, Down, and Monaghan; and that, under pressure of applications to be allowed to take part in the undertaking, Government seriously modified its original plan, with the result that instead of occupying the first place in it the natives were put off with something less than scant justice.

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[1] *Cal. State Papers*, Irel., 1606, p. 27.

[2] *Ib.* p. 24.

[3] *Ib.* p. 276.

The consequences of the plantation of Ulster as carried out were very disastrous for Ireland. In the first place it left the natives dissatisfied, and ready to take the first opportunity, as Chichester predicted they would, to cut the throats of their new landlords.[1] Secondly it exercised a very bad effect on the general situation by introducing into the midst of a wholly Catholic population a compact body of zealous Presbyterians.[2] Neither of these dangers was, however, at first apparent. The Irish were too cowed to move and the new planters were not remarkable for their religious piety. But the energy of the latter and particularly of the Scots in developing their properties soon gave an appearance of fictitious prosperity to the plantation, which was shortly to prove an inducement to further undertakings of a similar sort. In England there was no lack of incentive to such schemes. The air at the time was thick with colonisation projects of one sort and another. The lust for gold which had marked the spirit of Elizabethan enterprise had yielded to a soberer craving for land, and only a month or two before the flight of the Earls had drawn men's attention to Ireland the first body of English colonists had sailed from the Thames for Virginia. The expedition was regarded as almost doomed to failure and as little to be compared to the Irish project as, in Bacon's phrase, Amadis de Gaul was to Caesar's *Commentaries*.

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[1] *Cal. State Papers*, Irel., 1610, p. 526.

[2] I know that Protestant writers hold a directly opposite view and trace the progress of Ulster to its Presbyterian element. They may be right; but I am here not concerned to bolster up a theory which merely amounts to asserting that Presbyterianism is a better religion than Roman Catholicism. All I am anxious to show is that, as Scottish Presbyterianism was as little likely to agree with Irish Catholicism as oil is likely to coalesce with water, the situation created was fraught with eminent danger.

That these schemes were regarded in Ireland, especially amongst the gentry of the Pale, with apprehension as tending to weaken the political position of the Roman Catholics goes without saying. Curiously enough, however, it was on the Continent that the first note of alarm was sounded. Tyrone's expectation of bettering his position by a personal appeal to his *soi-disant* friends abroad had not, as we have remarked, been realised. On the contrary he had to hear some rather sharp sayings about his inconceivable folly in leaving his post, and thereby causing the King of Spain to lose the fruits of the "thirty years' intelligence which he maintained in Ireland." [1] The question of how to repair his blunder was one not easily to be answered. For Spain openly to interfere on behalf of the exiles was impossible, and the Archduke Albert was profuse in his apologies for the hospitality that had been extended to them in the Netherlands. He had been misled, he declared, by Tyrone's pretence that he had been "driven out of his country for his conscience." [2] Being assured that such was not the case he was only too ready to rid himself of the run-a-gates.[3] But the old policy of stirring up discontent in Ireland as a means of weakening England was not thus lightly to be abandoned. Paul V was bound by none of those considerations that restrained Philip III, and it was not long before Chichester remarked that a fresh Jesuit campaign was in active progress.

Since Candlemas last, he reported in May 1608, thirty seminary priests and Jesuits had landed in Ireland with the object of fomenting rebellion.[4] The Catholics of the Pale, he noted, no longer prayed for the safety, health, and prosperity of the King, but for his conversion and that of the royal family.[5] The second Justice of the Common Pleas, Sir John Everard, had preferred to resign his office rather than take the oath of Supremacy.[6] In the spring of 1609 there was a fresh accession of Jesuits from abroad, and it was calculated that at a great Catholic meeting on the borders of Tipperary, shortly before Easter, there were above 7000 persons of all sorts present.[1] Shortly afterwards there was another meeting in Connaught, on an island in the Shannon, attended, it was said, by more than 15,000 persons.[2] It was, Chichester declared, impossible for Government to close its eyes to the growing danger. Such meetings had always been noted to be the forerunners of rebellion, and, though he hoped it would not prove so in the present case, it was in his opinion high time to adopt measures of repression. As for those firebrands of sedition, the Jesuits and seminary priests, he could only repeat his advice that it would be well to expel them before it was too late; but having received no authority to do so he was afraid to deal with them in such sort as was expedient.[3]

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[1] *Cal. State Papers*, Irel., 1607, p. 631.
[2] *Ib.* p. 637.
[3] *Ib.* p. 640.
[4] *Ib.* p. 500.
[5] *Ib.* p. 507.
[6] *Ib.* p. 584.

Chichester's warning did not pass altogether unheeded; and having more than once suggested the advisableness of preventing the Catholic gentry sending their children abroad for their education without special licence, and recalling those already on the Continent, he was authorised to publish a proclamation in the sense he desired.[4] But the feeling that stronger measures were necessary to cope with the growing danger was rapidly gaining the upper hand. Since the last attempt concerning religion was given over, Sir Robert Jacob wrote to Salisbury in October 1609, 2000 persons had turned Recusants in the English Pale alone. The number of priests was continually on the increase, "lusty, able young men," who went about well armed. Every gentleman had one or two in his house. Dublin and all the towns were full of them, and masses were said in every house.[5] So numerous indeed had the Recusants become, and so indifferently was the law regarding attendance at church enforced, that a certain William Thimble offered to give £4000 a year for the farm of the shilling fines in Leinster, Munster and Connaught, provided he had the effective help of the civil and ecclesiastical authorities in collecting them.[6] The belief that they had the King's permission to exercise their religion had, Chichester complained, so emboldened the Catholics that, as he was informed, the Romish service was openly celebrated in those churches where the Protestants were not in the majority, which was but in few places.

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[1] *Cal. State Papers*, Irel., 1609, p. 192.
[2] *Ib.* p. 240.
[3] *Ib.* p. 143.
[4] *Ib.* pp. 174, 175, 250.
[5] *Ib.* p. 299.
[6] *Ib.* p. 284.

Quite recently a priest had been arrested at Multifarnham for saying mass; but the country people had risen and rescued him in defiance of the warrant. It was useless to try to punish them legally, for no jury would convict a priest. In his opinion there was no remedy but the sword, and having no authority for what would be accounted too severe a course, he was afraid to use it.[1]

The evil was admitted; but with the law as it stood nothing could be done. The only hope lay in a Parliament. It had been James's intention to call one ever since the beginning of his reign; but hitherto the opportunity to do so had failed him. Meanwhile the necessity had grown more pressing, and towards the close of 1610 he gave orders for calling one as soon as possible. In the circumstances it was no light step he was taking, and being anxious to feel his way before finally committing himself, he instructed Lord Carew to proceed to Ireland to report on the situation.[2] In taking this exceptional course he did not, he explained to Chichester, intend to imply any distrust in the Lord Deputy's wisdom. Carew was not sent to inquire into faults, but merely to collect information on certain points connected with the revenue, the state of the plantations and the laws necessary to be passed in the coming Parliament.[3] By the end of October Carew had finished his task, and at once returned to England to submit his report to the King.[4] As to the proposed Parliament, his inquiry had been directed chiefly to its probable constitution, the measures to be submitted to it, and the likelihood of passing them. On the first point, it appeared, from his investigations, that in Perrot's Parliament in 1585 the Recusants had been in the majority. In order to redress the balance in favour of the Protestants it was now proposed that thirty-five, or including Trinity College thirty-six new boroughs should be created.[5] The probable result of this measure would be that in a House consisting of 218 members there would be

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[1] *Cal. State Papers*, Irel., 1609, pp. 399, 444-445.

[2] Instructions, 24 June 1611, in *Cal. Carew MSS.*, p. 68.

[3] *Ib.* p. 70.

[4] See his Diary, *ib.* pp. 218-219; and Remembrances to be thought of touching the Parliament, *ib.* pp. 146-148.

[5] Viz. Newry, Newtown, Belfast, Coleraine, Limavady, Donegal, Lifford, Ballyshannon, Rathmullan, Dungannon, Mountjoy, Omagh, Strabane, Armagh, Charlemont, Mountnorris, Belturbet, Lough Rawre (?), Enniskillen, Monaghan, Tullagh, Mallow, Baltimore, Bandon, Lismore, Tralee, Ennis, Carlow, Roscommon, Carrickdrumrusk, Sligo, Askeaton, Kilbeggan, Castlebar, Callan. *Ib.* p. 136.

123 Protestants and 95 Recusants. In the House of Lords it was calculated that out of 25 temporal and 19 spiritual peers Government might reckon on a majority of seven Protestants; but if certain alterations in the issuing of writs, suggested by Carew "*ad majorem cautionem,*" were made this majority might be increased to fourteen. As the long discontinuance of Parliaments in Ireland would be the occasion, for want of experience, of many errors, the choice of a capable Speaker was a matter of first importance. Of men of Irish birth, there was none, in Carew's opinion, fit to be trusted, or qualified for the post and therefore he took the liberty of suggesting the Attorney-General, Sir John Davies, as the most appropriate person. It would be well too, he thought, if all the members of the Lower House were obliged to take the oath of Supremacy, as they were in England; but if that should seem "too sharp to be offered, yet a rumour that it was required would be a means to increase the number of Protestant burgesses and knights, and deter the most spirited Recusants from being of the House." Finally in order to make everything doubly sure the King might pursue the course adopted by Henry VIII who, "fearing to find opposition in Parliament . . . feigned occasion to send for such lords and gentlemen of quality whom he suspected, and kept them in England during the Parliament."[1] As for the measures to be submitted to Parliament they fell under three heads—viz. (1) matters ecclesiastical, (2) increase of the revenue, (3) civil policy and justice. Among those touching matters ecclesiastical there was one for extending to Ireland certain laws in England against Recusants, especially one forbidding them sending their children abroad for their education.[2]

While these preparations were in progress the conduct of Government was not such as to improve the chance of a quiet parliamentary session. As we have seen Chichester had long been insisting on the necessity of severer measures for the repression of the Jesuits. In July 1611 he obtained James's consent to the publication of a Proclamation, in the terms of the former one of July 1605, requiring all Jesuits and seminary priests to quit the kingdom.[1] This time the Proclamation was not allowed to remain a dead letter. In September Cornelius O'Devany, titular Bishop of Down and Connor, an old man of eighty years of age was arrested and with several other priests confined to the Castle.[2] Attempts were made to induce them to conform; but except in the case of one Barnaby, who agreed to take the oath of Allegiance, they proved ineffectual.[3] Davies was in favour of making an example of the recalcitrants, especially of O'Devany. A mere show of severity, he held, would be sufficient. The Irish were not the stuff of which martyrs were made. No one in fact had ever heard or read of an Irish martyr.[4] Chichester, with less knowledge of Irish hagiology, was on the same side. Severity, he wrote to Salisbury, could add but very little to the discontent already entertained. The Pope had more hearts in the kingdom than the King. He knew his Lordship feared lest in pursuing the course he advocated, " which is by bringing the nobility, lawyers, and chief magistrates of corporations to Church," he might cause a rebellion. But it was God's work; and he was sure that, however mildly they treated the Catholics, there was little assurance of their obedience longer than they were kept down by force or want of assistance from foreign parts.[5] In the end the law was allowed to take its course and on 1 February 1612 O'Devany and another Catholic priest were executed.[6] The Irish had got the martyrs hitherto wanting to them, and Chichester cynically promised to give them as many more as they liked. But in truth he was not a little surprised and alarmed at the veneration shown to them by the Irish and how they were adored for saints. In one respect, however, he was right in his forecast. For it hardly needed this display of severity to increase the discontent already felt by the Catholics.

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[1] This is an interesting admission, of which there is no trace to be found elsewhere. James seems to have acted on the suggestion in the case of Sir Patrick Barnewall, a notorious Recusant. *Cal. State Papers*, Irel., 1613, p. 340.

[2] 1 Jas. I, c. 4; and *cf.* Titles of Acts of Parliament to be propounded in Ireland, 1612:—

"5. An Act that Jesuits and seminary priests shall be adjudged traitors, if they shall be found within the kingdom of Ireland after a certain day to be prefixed, and that their receivers and relievers shall for the first offence be fined £100, and for the second shall be in case of premunire, and for the third shall be in case of treason.

"6. An Act to recall children from beyond the seas and to prohibit their passing over." *Cal. State Papers*, Irel., 1612, p. 289.

All through the autumn the air had been thick with rumours of the coming Parliament and of fresh measures of penal legislation. The oath of Supremacy was not to be administered; but Carew's suggestion had been acted on, and Sir John Davies had heard that the Catholics, fearing that it would be, were making arangements to return such members as would take the oath "and yet not easily yield to make sharp and severe laws against them." [1] Davies had probably heard what he wanted to hear; but there could be no doubt that the Catholics regarded the approaching Parliament with great anxiety. "What keeps everyone in a state of intense suspense," one of them wrote, "is the fear of the approaching Parliament, which is to assemble after St John's festival, in which the heretics intend to vomit out all their poison, and infect with it the purity of our holy religion, and it is expected that things will take place in it such as have not been seen since the schism of Henry VIII began." [2] The date finally fixed for the meeting of Parliament was 18 May 1613. Meanwhile the law officers were busily occupied in preparing letters of incorporation for the new boroughs, that were to turn the scales in favour of the Protestants. James had given Chichester a *carte blanche* in the matter, and by his advice some changes had been made in the list suggested by Carew. In all 43 new boroughs were created—viz. nine, including the University, in Leinster; eight in Munster; six in Connaught; and twenty in Ulster.[3] As all, or nearly all of these were certain to return Protestants Government could safely calculate on a considerable majority.

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[1] *Cal. State Papers*, Irel., 1611, p. 74.
[2] *Ib.* p. 142.
[3] *Spicil. Ossor.*, i, p. 121.
[4] *Cal. State Papers*, Irel., 1611, p. 153.
[5] *Ib.* p. 166.
[6] *Ib.* p. 244; cf. *Spicil. Ossor.*, i, pp. 122-126.

It is hardly worth while to discuss the right of the Crown to exercise its prerogative in creating as many new boroughs as it liked. No one will deny that in this case, whether legally justifiable or not, it was a barefaced attempt to pack Parliament, and to falsify the verdict of the country. It is more important to note that the attack was directed not so much against the "mere" Irish, as against the constitutional liberties of the English colonists in Ireland.[4] We are here brought face to face with the fact that for Government, and for Englishmen generally, the old distinction between " mere " Irish and Anglo-Irish had ceased to exist. Both, in the ordinary language of the day, were lumped together as Recusants. The new word marks with precision the new phase into which the Irish problem had entered. As yet no one had ventured to charge the gentry of the Pale openly with disloyalty ; but the fact that they were of the same religion as the " mere " Irish was rapidly obliterating from the minds of Englishmen the memory of their origin and causing them to be identified in their thoughts with the general mass of Irishmen. And it cannot be asserted that they were altogether wrong in their view of the situation. The demand of the Puritans for a more rigid enforcement of the laws against the Catholics, and the readiness of the Irish Government to answer the call had not been without effect on the attitude of the gentry of the Pale. No doubt there was no love lost between them and the " mere " Irish ; but with the ever increasing influx of Protestant settlers their feelings were undergoing a radical change, and, without exactly intending it, they were drifting more and more away from their original position in the direction of a union with the native Irish.

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[1] *Cal. State Papers*, Irel., 1611, pp. 153-154.

[2] Short Account of the Present State of Ireland in 1612, in *Spicil. Ossor.*, i, p. 122.

[3] The list in *Cal. State Papers*, Irel., 1613, pp. 333-335, is misleading. Athlone, Derry, Downpatrick and Cavan, though marked old boroughs, returned members for the first time in 1613.

[4] In this connection it is worth noting that of the names of the ninety-five members of the Opposition not more than fifteen can be claimed as of native origin.

The fact did not escape the notice of impartial observers. In a " Discourse of the Present State of Ireland," in 1614, the writer,[1] after noting how in the past " the old English race, as well in the Pale, as in other parts of the kingdom, despised the mere Irish, accounting them to be a barbarous people, void of civility and religion," and the Irish in their turn regarded them as their hereditary enemy, proceeds to comment on the change that had lately come over their attitude towards each other. The grounds of this change he traces to the frequent marriages of recent years between them, the higher standard of civilisation acquired by the mere Irish, " whereby the ancient dislike and contempt is laid aside," but above all to the terror inspired by the plantations. " This last," he proceeds, " is the first and principal cause of their union, . . . and for this cause the slaughters and rivers of blood shed between them are forgotten." The combination was likely to prove of serious consequence to the State. For whereas hitherto in all the disturbances that had occurred "the cities and enclosed towns never gave cause of suspicion of defect; and of the old English, though some branches might fall into rebellion, yet the body hath evermore remained sound and firm to the Crown of England . . . now contempt and rancour sleeping, and the general ill-affection to the State, as well for the cause of religion, as for the new plantations increasing, (whereby they are united) the next rebellion, whensoever it shall happen, doth threaten more danger to the State than any that hath preceded." How accurately the writer had calculated the forces at work appears from his prediction that the next Rebellion, when it came, would be "under the veil of religion and liberty, than which nothing is esteemed so precious in the hearts of men."

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[1] Probably Carew. The initials S. C., as given in *Desid. Cur. Hib.*, i, pp. 430-440, seem to be a mere printer's mistake for G. C. (George Carew), as given in *Cal. Carew MSS.*, 1614, pp. 305-310.

Such then was the general outlook of affairs when Parliament met, as arranged, on 18 May 1613. It is not here necessary to consider in detail the history of that assembly—the disputed election of the Speaker, recalling in more violent form the similar scenes that had occurred in 1569 and 1585; the secession of the Opposition in both Houses and their appeal to the King; the repeated prorogations and the final session in 1615, ending in its dissolution in August of that year. Our object is rather with the actual results, in the way of legislation, of that Parliament, and the causes which led to those results. As already remarked one of the main reasons for calling Parliament had been the necessity, in view of the increasing strength of Roman Catholicism, of strengthening the hands of Government in dealing with the Jesuits. There had been no attempt to conceal the intention of Government in this respect. On the contrary hints had been dropped, with the object of intimidating the Recusants, that the oath of Supremacy would be administered to them. At the same time, however, every precaution had been taken to secure success by packing both Houses with Protestants. The result was a failure. For instead of quietly submitting, as Davies had prophesied they would, to the inevitable, the Recusants raised such an outcry, as compelled James in the end to consent to appoint a commission[1] to examine into their grievances, in respect as well to the illegal proceedings complained of by them in regard to Parliament as to the whole course of Chichester's government, especially in the administration of justice, military violence, the exaction of cess, the state of religion and the injuries inflicted on the ancient landowners by the contemplated plantation in county Wexford.[1]

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[1] *Cal. State Papers*, Irel., 1613, pp. 386-389.

The Commissioners reported in November 1613. Their report was a virtual condemnation of Government. In regard to the alleged illegal practices in connection with the holding of Parliament, they were of opinion that such practices could only be proved in two cases. But the evidence taken by them disproved this conclusion,[2] and in the end James saw proper to temporarily disfranchise eleven other boroughs, thus reducing the Protestant majority to about ten. As to the other grievances complained of in respect to the general government of the country, the Commissioners found that not only did the soldiers on their marches not pay for the food and drink consumed by them, but were accustomed to extort money from the inhabitants for themselves and their followers. Those sent to collect cess did the same and in default of payment distrained the cattle and household goods of the defaulters. Moreover instead of marching directly to their destinations they took circuitous marches, exacting bribes to pass by their assigned billets to lie in others. The provosts-marshal and their men were guilty of like extortions. As regarded the complaints connected with the administration of justice, the Commissioners admitted that while it was difficult to prove the taking of excessive fees, it was certain that new offices and new fees had been made in the Exchequer, and there was no doubt that sheriffs had been appointed, who had no freeholds in their counties or elsewhere. This latter abuse was excused on the ground that it was impossible to find Protestants of fit quality and the Catholics would not take the oath of Supremacy. Indeed as to religion there could be no question that, owing to the small numbers, less sufficiency, and little residence of the ministers of the established church, and the multitude of Popish schoolmasters, priests, friars, Jesuits and seminaries in every diocese, things were in a deplorable condition. The only remedy the Commissioners could suggest was the "strict execution of the laws against Popish priests and schoolmasters, . . . and instead of idle and scandalous ministers, to place those that are learned and faithful, and compel them to be resident, with some competent provision, who by their demeanour and doctrine will allure the people to the truth, and obedience to the Government."[1]

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[1] See Instructions to the Commissioners, 27 Aug. 1613, *Cal. State Papers*, Irel., pp. 436-438.

[2] See particularly in regard to the Wicklow and Dublin elections, *ib.* pp. 441, 443.

"These Irish," said Sir Charles Cornwallis pithily summing up the verdict of the Commissioners, "are a scurvy nation, and are scurvily used."[2] Of the truth of the latter part of the statement there could be no doubt. But it was no business of James to tell the Remonstrants that they had made out their case. On the contrary he read them a sharp lecture on their undutiful behaviour in obstructing the work of Parliament, and having declared their charges against Government utterly baseless, he threatened them with his condign displeasure unless they confessed their fault.[3] This done he proceeded to explain his views on the religious question. "His Majesty," said Sir James Gough, on returning to Ireland, "charged us to tell in every place where we came, how graciously he had dealt with us, and how patiently he had heard us, and although he conceived our departing from the Parliament was as high an act of rebellion as could be committed without arms defensive and offensive, yet that he, upon our appeal and submission, would let us feel the effect of his clemency. And as for your religion, said his Majesty, although I wish the religion we (his Majesty) profess were generally established and received throughout our kingdoms both by you and your priests (holding yours to be no religion, but mere superstition), yet so long as they do not profess those traitorous points, that it is lawful to murder, or lay violent hands upon our person, or to depose us from our crown, we do not mean to extort or force your consciences."[4]

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[1] *Cal. State Papers*, Irel., pp. 438-449.

[2] *Ib.* p. 432.

[3] See "His Majesty's Speech delivered in the Council Chamber at Whitehall, on Thursday before Easter, being the 12th of April 1614" in *Desid. Cur. Hib.*, i, pp. 302-312.

[4] *Cal. State Papers*, Irel., 1614, pp. 545-546. The Catholics professed their willingness to take the following oath:—"I do acknowledge that the King is my only King and undoubted Sovereign, and that he hath absolute regal power, authority, and jurisdiction and government immediately under God over his three kingdoms, and over the persons of his subjects, spiritual and temporal, and I do protest that I am and ever will, to the utmost of my power as becomes

The statement was merely a repetition of James's well-known views on the subject of toleration ; but when Gough repeated it in the presence of the Lord Deputy and Council Chichester pronounced it utterly incredible, and insisting that Gough was spreading a false report, he clapped him under lock and key till he heard from the King himself.[1] James's explanation, when it came, did not materially alter Gough's statement. He did not deny having used the words attributed to him, but Gough, he said, had forgotten to add that he had also expressed his intention to enforce the laws against Recusancy.[2] When called upon to explain, Gough admitted the point ; but he insisted that by enforcing the laws the King did not, in his opinion, mean that his subjects should be compelled by violence or other unlawful means to resort to Protestant churches, or that they should be compelled by oppressions and undue infliction of punishment to acknowledge the use of the sacrament contrary to their consciences.[3]

It was useless, Chichester felt, to pursue the controversy further. The encouragement given by James to the Recusants, and the changes in the representation caused by the temporary disfranchisement of so many Protestant boroughs had deprived him of all hope of passing such measures as he had deemed necessary to check the growth of Roman Catholicism. The majority of thirty on which he had been originally able to count had completely disappeared,[4] and it was very doubtful in the circumstances whether the Commons would listen to his request for financial assistance. So hopeless indeed did the situation appear that it was even seriously discussed whether it might not be better to dissolve Parliament and proceed rather by way of a benevolence than of a subsidy.[5] Fortunately when Parliament

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a loyal subject and faithful servant, be ready with the hazard of my life, lands, and goods, to defend his royal person and his dominion against his enemies that go about to invade them, whether it be emperor, pope, or prelate, prince or potentate whatsoever."

[1] *Cal. State Papers*, Irel., 1614, pp. 456-457.

[2] *Ib.* pp. 462-463.

[3] *Ib.* p. 548.

[4] This conclusion is based on the following figures. The House of Commons consisted of 232 members—viz. 132 Protestants and 100 Recusants. (See *Desid. Cur. Hib.*, i, p. 196.) By James's order 11 boroughs, returning 22 Protestants, were temporarily disfranchised, thus reducing the Protestant majority to ten : further two elections were declared void, thus depriving the Protestants of four votes and transferring the same number to the Catholics and balancing parties at 106 and 104 respectively.

[5] *Cal. State Papers*, Irel., 1614, pp. 501, 505, 509.

reassembled in October 1614 the Catholics proved to be in a good temper. Their recent victory inclined them to demonstrate their loyalty,[1] and though strongly tempted to take advantage of the situation to insist on a relaxation of the penal laws, so far at least as concerned attendance at divine service and the readmission of the Recusant lawyers to their practices, they allowed themselves to be guided by the prudent counsels of their leaders, and to emulate the zeal of the Protestants in passing the liberal subsidy Bill demanded by Government. This result, so different from what had been anticipated, inclined Chichester at first to keep Parliament together ; but the uselessness of looking to the Recusants for permanent support, and the burden its maintenance entailed on the country, with the probable diminution of the subsidy, decided him to advise its dissolution.[2]

Except as regards the subsidy, for which James expressed his thanks, the Parliament had entirely failed to answer the expectations of those who had been most urgent in advising it. On the main question of religion matters were in much the same position after it as they were before it, or if any change was noticeable, it was rather to the advantage than to the detriment of the Catholics. Nothing had been gained by packing Parliament, and, as Bacon saw, forcing matters would do no good. " The new plantations," he wrote to Villiers, " would mate the other party in time." [3] Bacon's remark furnishes us with the clue with which to unravel the perplexities of the period that lies between the departure of Chichester and the arrival of Wentworth. For not only does it enable us to understand what the object of Government exactly was in its feverish haste to dot the country with English colonies, but it explains the grounds of the opposition offered by the Irish to that policy. More than this it throws a flood of light on the new standpoint from which the policy of plantation was beginning to be regarded in England.

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[1] It was noticed that they were even present at the opening prayers of the House until forbidden by the priests. Davies to Somerset, 31 Oct. 1614, *Cal. State Papers*, Irel., p. 514.

[2] There seems to be no ground for Gardiner's suggestion (*Hist. of Eng.*, i, p. 302) that the Parliament was dissolved in order to avoid conceding the Catholic claims. (See James to Chichester, 22 Aug. 1615, *Cal. State Papers*, Irel., p. 87.) From a note appended to a list of the members returned to Parliament in *MSS. T.C.D.* F. 3. 17, it appears that they were paid at the following rates *per diem* :—a knight 13s. 4d., a citizen 10s., a burgess 6s. 8d. Taking the average at 10s., this for 149 days would amount to about £15,000, which was no light burden to be borne by the constituencies. Coin was so scarce in Ireland that in regard to the subsidy granted Chichester was afraid that, unless money was sent from England, the greater part of it would only be paid in kind. *Cal. State Papers*, Irel., 1615, p. 95.

[3] Spedding, *Life of Bacon*, v, p. 375.

In the beginning, as we have seen, the policy of plantation as conceived by Mary and Elizabeth, had been looked on as a plausible method of reducing the "mere" Irish to civility and good government, according to the English standard in such matters, and by the latter particularly as a means of increasing the revenue of the Crown. There had been no question of subjecting the lands of the loyal gentry of the Pale to that policy. On the contrary their safety had been regarded as one of the chief motives to its adoption. Now, however, under the combined influence of the religious difficulty, which, as remarked, was tending to lump "mere" Irish and Anglo-Irish together as Recusants, without distinction of race, and the craving for land, which had taken possession of Englishmen, this view was gradually yielding to one in which the policy of plantation was regarded as a means of converting the Irish. That their conversion was still considered as being rather in the interest of the State and of securing a Protestant majority in the next Parliament, with the view to passing severe penal laws against Roman Catholicism, is no doubt true. But with this conception of plantation as a means of conversion we are already within sight of the Cromwellian Settlement. That settlement in the eyes of its authors was a godly work, intended to redeem the poor benighted Catholics of Ireland from the bondage of Rome, and restore them to the full light of Gospel freedom. No doubt the fact that the Irish had to pay for their attempted conversion with their lands throws an air of hypocritical unreality over the whole business. No doubt too the acquisition of land was, to very many who shared in the work, of greater consequence than the spiritual welfare of the Irish ; but it would be utterly to mistake the character of the Cromwellian Settlement to suppose that it was merely or even mainly the expression of a desire to rob the Irish of their lands.

It is one of the most difficult tasks a writer of the twentieth century, however he may have saturated himself in the thought and language of the seventeenth century, can set himself to do full justice to such men as Pym, Ludlow and

Cromwell. So different is the atmosphere they lived in, that everything they do and say seems to possess an air of unreality. And, if it is difficult for him to do justice to them, it is almost hopeless for him to try to convince his reader, horrified at the result, that righteousness, justice and truth were for them something more than mere words, and that in all their actions they were consumed by an overpowering desire to do the will of God. Perhaps the difficulty of the task is responsible for the exaggerated views that have been taken of the Cromwellian Settlement—of those writers on the one hand who, with Carlyle, will not see the terrible injustice done to the Irish in the name of religion, and of those, on the other hand, who can only see in it the work of a set of hypocritical rascals, cloaking their selfish desires under the mask of religion. Neither of these views hits the mark. In one sense the Cromwellian Settlement was merely the logical conclusion of the policy of plantation as conceived by Bacon and his contemporaries. In another it was the punishment meted out to the Irish Catholics for their religious obliquity. The " Irish massacres " were not, as is so often asserted, the cause of the confiscation of the land of Ireland. They, or rather the belief in them, no doubt aggravated the situation, but the confiscation was long before then a foregone conclusion.

At the time, however, it would have needed a prophet's eye to see that any such fate was in store for the Irish Catholics. When Parliament was dissolved in October 1615 their position had undoubtedly undergone an improvement. But Government, if it had been defeated in its attempt to deal directly with the Jesuits, had not abandoned its intention of bringing them under some sort of control. It had merely changed its plan of operations. Already in April, when the impossibility of passing the Jesuit Bill had become evident, James had written to Chichester expressing his opinion that he could find no remedy for the barbarous manners of the " mere " Irish so ready and feasible, as by settling a firm estate in perpetuity to such of the present inhabitants as have the best disposition to civility, and by intermixing amongst them some of the British to serve for examples and teach them order. And being given to understand of some titles he had to all or part of the counties of Longford and Leitrim, and other Irish countries in Munster, Leinster, and

Connaught, he desired him to take steps to inquire into the matter and to report his opinion in a business so much importing the welfare and safety of the kingdom.[1] It will be observed that James's plan has a twofold aspect—viz. the confirmation of their lands to such of the Irish as would conform to the requirements of Government and the plantation of other lands with British colonists. It would exceed the limits of this Introduction to describe in detail how the plan was carried into execution, leading on the one hand to a confirmation of the settlement arrived at by Sir John Perrot with the landowners of Connaught,[2] and on the other hand to the plantation, or attempted plantation, of the counties of Wexford, Longford, and Leitrim, and the midland districts lying along the east bank of the river Shannon.[3] It is here only necessary to note that the object of the plan was to be the gradual neutralisation of the Catholic predominancy by the introduction of Protestant settlers.

But if plantation was to be the chief means by which it was hoped to achieve this object it was not the only one. It had formed part of the Government's anti-Catholic policy to pass an Act to prevent the Irish gentry from sending their children abroad for their education.[4] The Bill, however, had, like that for the expulsion of the Jesuits, been abandoned, and in the hope of arriving at the same result in another way, James, in June 1615, ordered Chichester to send over a number of noblemen's sons to receive their education in England.[5] But the order was met with excuses and delays on the part of the children's parents and guardians,[6] and seeing no likelihood of inducing them quietly to submit to it, a commission was appointed in July 1616 to inquire into the whole question of wardships.[1] The result of the inquiry was finally the creation in 1622 of a Court of Wards and liveries. The first Master of the Court was Sir William Parsons, a man of strong Puritan views, and by the instructions given him no grant of wardship was to be made to any Recusant ; no ward was to be allowed to marry a Recusant, and all wards were to be educated at Trinity College, Dublin.[2] Under Parson's management the Court of Wards soon became notorious as a most formidable instrument of oppression, and from this time forth it figures as one of the chief grievances complained of by the Irish.

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[1] *Cal. State Papers*, Irel., 1615, p. 35.

[2] See particularly King to Chichester, 21 July 1615, *ib.* p. 84: "Grants to be made by letters patent to every freeholder in Connaught and Clare of their lands, as was intended at the making of the composition in Queen Elizabeth's reign, confirming their estates to them and their heirs, reserving the amount of composition royal then assessed upon every quarter, subject to the ancient rent, to be held by knight's service *in capite* as of the king's castle of Athlone."

[3] As to these plantations see Poole, *Historical Atlas*, Map xxxi.

[4] See p. lxxviii, note.

[5] *Cal. State Papers*, Irel., 1615, p. 83. List of noblemen's sons to be brought to England for their education—viz. Lord Barry's grandchild, 13 years old; Lord Gormanston's eldest son, 10 years old; Lord Courcy's two sons; Lord Delvin's son and heir, 13 years old; Lord Trimbleston's son and heir, 18 years old; Lord Dunboyne's grandchild, 13 years old; Lord Cahir's nephew; Lord Power himself, 15 years old; Lord Bermingham's grandchild, 14 years old, to be brought up at the free school in Dublin.

[6] *Ib.* p. 212-213.

Such then were the methods—plantations and the Court of Wards—by which the Irish Catholics were to be weaned from the error of their ways and converted to civility and true religion. But that the plan might have a fair chance of success, it was determined to proceed with all the severity allowed by the law against the Recusants and their supporters the Catholic clergy.[3]

Nowhere was the law regarding the oath of Supremacy and attendance at divine service treated with greater contempt than in the large seaport towns of Munster. "His Majesty's general affairs here," wrote Sir Oliver St John in December 1616, a few days after his arrival as Chichester's successor, "prosper in all things, saving in that strong combination of recusancy wherein the well or ill doing of this State does much depend. . . . Particularly the actions of the towns ; they grow daily in disobedience, refusing in divers of them to elect any chief magistrate, because they that should supply the places are all Recusants." [4] Chief among the offenders in this respect were the citizens of Waterford, and at St John's instance it was determined to read them a sharp lesson, as a warning to other towns, the more so as a recent threat to confiscate their charter, unless they conformed, had been disregarded by them. Owing to the terms of their charter, which exempted them from judicial visitation, there was some difficulty in proceeding against them ; but in October 1617 a verdict of the country was obtained requiring them under pain of confiscation to surrender their charter.[5] But neither this measure, nor the publication of a fresh Proclamation [1] against the Jesuits and their harbourers, produced any effect on the citizens. None of them of any quality, the Lord Deputy wrote, would conform themselves in religion, not even in show, for the saving of their charter, " but will sit still and attend whatever course the King directs." All that St John could suggest was that " the King should send over new inhabitants to supply the places of magistracy, and to govern the multitude." [2] His suggestion was acted on, and an offer was made to the mayor and corporation of Bristol of the city of Waterford, if they would undertake to plant it with English merchants. But the mayor and corporation would have nothing to say to the scheme. They could not, they wrote, find anyone in their city, who was willing to remove to Waterford and inhabit there.[3]

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[1] *Cal. State Papers*, Irel., 1616, p. 131.

[2] *Ib.* pp. 390-391.

[3] *Cf.* Sir Francis Slingsby's opinion touching Recusants, *Cal. Carew MSS.*, 1617, p. 344.

[4] *Cal. State Papers*, Irel., 1616, p. 142.

[5] See documents in *Cal. Carew MSS.*, 1617 *passim.*

The failure of Government to break the resistance of the citizens of Waterford was characteristic of its dealings with the Catholics generally. In fact its position was ridiculous in the extreme, and indeed could not be otherwise so long as James was bent on effecting an alliance with Spain.[4] For not even the most timid of Irish Catholics were likely to be impressed by his threats, when they knew that he could not raise a finger against them without imperilling his pet project. And the Irish were not timid at all. On the contrary they recognised the strength of their position, and showed their determination by every means in their power to take advantage of it. Indeed, quite apart from the prospect of the marriage between Prince Charles and the Infanta, which could hardly fail to redound to their advantage, the Irish Catholics had other reasons to be satisfied at the course things were taking. The plantations, which had been a cause of great anxiety to them, were not thriving so well as Government had hoped they would do. In fact so far as those recently undertaken were concerned they could scarcely be called plantations at all.

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[1] Curiously enough this Proclamation only exists in a French translation (see *Cal. State Papers*, Irel., 1617, p. 169 and *British Mus. Cat.*, Ireland): Edict publié contre les Catholiques d'Irlande par le Viceroy Olivier Sainct Jean et le Conseil, jouxte la copie imprimée à Dublin, 1617. The fact is perhaps significant of the interest felt on the Continent in the proceedings of the Irish Government.

[2] *Cal. State Papers*, Irel., 1619, p. 267.

[3] *Ib.* 1620, p. 273.

[4] Nothing could better illustrate the fatuity of the Government's Irish policy than the fact that at the very moment when it was threatening to expel the Jesuits James had consented as a compliment to the Spanish Ambassador, Gondomar, to liberate every Catholic priest in England (July 1618).

Even in the case of those in Ulster and Wexford the situation of affairs was far from satisfactory, and it was noted with apprehension that owing to the absence of many of the undertakers the land was reverting into the possession of the natives.[1]

Of course when it was known that Charles had returned to England without his Spanish bride, the Irish Catholics were naturally filled with anxious forebodings as to what the future might have in store for them,[2] and for a time there was some talk of sending a deputation to London with a declaration expressive of their loyalty.[3] But James though at first inclined to vent his indignation on the Catholics could even now not bring himself to abandon all hope of an alliance with Spain. In December 1623, while still smarting under the supposed insult offered him, he had authorised Falkland, who had recently succeeded St John as viceroy, to enforce the laws against the Recusants and to take measures for the expulsion of the Jesuits.[4] And Falkland, who was only too ready to obey the order, at once published a Proclamation [5] requiring all Popish bishops, priests and seminaries instantly to quit the country. Hardly, however, had he done so than fresh instructions arrived requiring him to hold his hand. The King, he was informed, in contemplation of a match with Spain, had resolved to deal graciously with the Roman Catholics. The orders recently sent him were to be suspended. But insolencies or tumultuous and inordinate assemblies, or innovation by erecting of religious houses, holding of public or private conventions, which might prove dangerous to the State, were to be repressed.

Falkland's new instructions were less to his liking than the old ones. Though compelled to admit that "since Ireland was Ireland there never was such universal tanquillity as at this instant, there not being ten rebels in the whole kingdom," and they of no value, yet from every quarter there came "daily advertisements of fearful rumours and panic apprehensions of some sudden commotion and general massacre of the English, who are almost afraid to continue upon their habitations in the country." He prayed God that the state of affairs would not prove like the morning, "which is ever darkest before day breaking"; but in the event of an insurrection he would only be able to take the field with 600 foot and 150 horse, and that after denuding the forts, which were in ruins, of their garrisons.[1] It is clear that Falkland was allowing his imagination to get the better of his common-sense. Certainly the man, who could see in the accidental collapse of one of the towers of Dublin Castle a premonition of a universal massacre of the Protestants,[2] was hardly in a position to judge calmly of the truth or falsehood of the rumours to which he lent such a greedy ear. But it scarcely needed his silly exaggerations to convince the authorities in England that, if it came to a war with Spain, Ireland was ill prepared to ward off an invasion. The pressing necessity of putting the country in a state of defence had formed one of the "four points" that occupied the attention of the Parliament, which James had summoned to consider the question of war with Spain. But it was easier to admit the necessity than to find the money. In July a Council of War, appointed on 21 April, and composed of the chief military authorities, reported on the best means of securing Ireland. Among the measures recommended were the strict enforcement of the Proclamation for the banishment of Jesuits and seminary priests, the raising of the army to a total of 4000 horse and foot, the safeguarding of the narrow seas, the transmission of ten lasts of gunpowder and a proportionable quantity of lead and match, the repairing, strengthening and victualling of the forts and inland garrisons, the strict supervision of the conditions of plantation, so far as the arming of the planters was concerned, and the disarming of all suspected and popishly inclined persons.[3]

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[1] See Lord Deputy and Council to Privy Council, 25 May 1621: "In the meantime the Irish in each of their countries increase, and will overgrow the British if the absence of such as are bound to sit down upon their land be permitted. . . . The two former plantations in Ulster and Wexford have been in some good sort forwarded. . . . The next following plantation of Longford and Ely almost a year since, lies still as it was at the beginning, few of the undertakers have passed their patents, and none of them have sitten down or begun any plantation." *Cal. State Papers*, Irel., p. 325.

[2] *Cf.* the letter of the R.C. Bishop of Cork, 4 April 1624, in *Spicil. Ossor.*, i, p. 133: "Magnam illam, liberi religionis usus, spem quam ex matrimonio inter serenissimos Hyspaniarum infantem et Walliae principem contrahendo concepimus, in terrorem et desperationem conversam jam apprehendimus."

[3] *Cal. State Papers*, Irel., 1623, pp. 440-444.

[4] *Ib.* p. 458.

[5] *Ib.* p. 459. The date of the Proclamation is 21 Jan. 1624. It is erroneously entered in the *Cal. of Carew MSS.* under 21 Jan. 1623, and this mistake has led to a double entry in the *Cal. of State Papers.*

The scheme received the royal approbation; but hardly had it done so than the Irish Government was informed that, for reasons of State, James held it requisite to forbear at that time the execution of the first article in the report concerning titular Popish prelates, priests and Jesuits.[1] The reasons of State, to which James alluded, were simply a promise of toleration for his Roman Catholic subjects that had been wrung from him by Louis XIII, as the condition of the marriage of his sister Henrietta Maria with Charles, on which, since the failure of the Spanish treaty, James's heart was now set. The promise, however, was a direct breach of the terms on which Parliament had agreed to find the money for a war with Spain, and though this fact did not prevent the marriage taking place it effectually prevented any adequate measures being taken to put Ireland in a state of defence.

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[1] *Cal. State Papers*, Irel., 1624, pp. 484-486.

[2] *Ib.* p. 489.

[3] *Ib.* pp. 511-514.

III

IRELAND UNDER CHARLES I

1625-1649

THE death of James at this moment did not materially affect the general situation. With a war with Spain on his hands, and at loggerheads with Parliament, Charles was compelled, whether he liked it or not, to pursue a conciliatory policy towards his Irish Catholic subjects. As a sign of his intention to do so he had hardly stepped into his father's shoes than he gave orders for the restoration of its charter to the city of Waterford. The first use the citizens made of their recovered liberties was to elect a Catholic mayor. The same thing had already happened at Galway. Except at Youghal every corporate town in Munster had elected recusant magistrates, and it was noted by Falkland, as a hitherto unheard of thing, that in some of them the sword of the King had been carried before the mayor to mass. In the Egyptian darkness that shrouded the King's real intentions he confessed his inability to know what course to pursue.[2]

Matters grew perceptibly worse when, in consequence of the failure of the expedition to Cadiz, Ireland was overrun by bodies of half-starving mutinous soldiers, who had been landed at different points from the shattered fleet, which had sought safety in Irish waters.[1] It was more than Government could manage to provision its own recently augmented standing army, let alone find food and clothes for these unwelcome guests, who were roaming about the country plundering and spreading disease wherever they went. In the expectation that Spain would naturally retaliate the insult offered her, the strain on Government to provide for the defence of the country became almost unbearable. From all parts came complaints of cess illegally exacted and of the free quartering of soldiers on the towns.[2] Proposals were made to raise a force of train-bands; but the scheme had to be abandoned owing to the reluctance of Government to put arms into the hands of those "of whose hearts we rest not well assured," though in Wilmot's opinion there could be no question of the loyalty of the nobility as a whole.[3] A plan to raise money by a benevolence shared a similar fate. Of the £3000 promised by the Pale, of which £1500 was due in Lent term, nothing, the Lord Deputy wrote on 5 May, had then been paid in.[4] The impossibility of raising money to pay the soldiers was exercising a demoralising effect on the army. "We cannot," Falkland wrote on 18 July, "put the army into the field for fear of mutiny, and a disturbance will cut off even the few King's rents that are still paid."[5] A month or so later he admitted that his worst fears were being realised and that the soldiers had taken to pillaging the country.[6]

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[1] *Cal. State Papers*, Irel., 1624, pp. 524, 557.

[2] *Ib.* 1625, p. 31; 1626, p. 163; *cf.* Villiers to Conway, 5 June 1626, *ib.* p. 129: "I must ask you how I am to carry myself to these obstinate mayors and chief magistrates of corporations. . . . Am I to be gentle with them or strictly to compel them to order and conformity, by giving them the oath and drawing them to church on pain of losing their posts ?"

Moved by the predictions of impending disaster, that reached him with every post, Charles at last took steps to put affairs in Ireland in order. He had resolved, he wrote to Falkland on 22 September, to keep on foot a standing army of 5000 foot and 500 horse; but the cost of its maintenance would have to be borne by the country. In order, however, to induce the Irish to consent to this step, he was willing to forgo his composition rents, amounting to £8000 a year, to dispense with general hostings, and to concede them certain favours or graces.[7] These Graces, twenty-seven in all, went to the following points: —(1) the careful regulation of the conditions of plantation, including compensation for wrongs done and the safeguarding of the interests of the landed proprietors in Connaught and Clare; (2) the substitution of an oath of allegiance for that of supremacy, and the admission of all who took it to offices of state; (3) the remission of the shilling fines for non-attendance at church and a free pardon for past offences in that respect; (4) the regulation of the Court of Wards, and the permission to sue out liveries without taking the oath of allegiance; (5) the establishment of a mint and certain commercial concessions connected with the export of wool; (6) a strict control of soldiers on the march; (7) the restriction of the choice of sheriffs to well estated men, and none but competent freeholders to form juries; (8) the regulation of legal fees and prompt redress of grievances. Finally if the Irish would consent to this agreement a Parliament was to be called to confirm it.[1]

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[1] See Falkland to Conway, with enclosures, 18 Jan. 1626, *Cal. State Papers*, Irel., pp. 80-81.

[2] *Ib.* pp. 92-93, 123, 130, 137.

[3] *Ib.* pp. 110, 144, 190, 193.

[4] *Ib.* pp. 69, 118.

[5] *Ib.* p. 142.

[6] *Ib.* p. 155.

[7] *Ib.* p. 156.

Acting on his instructions Falkland took immediate steps to summon a meeting of the nobility to discuss the plan. But in view of the openly expressed disapproval of the Protestants at what was regarded by them as a proposal for the legal toleration of Roman Catholicism, it was thought advisable to admit the bishops to be present at the conference.[2] The first meeting was fixed for 15 November, and accordingly on that day the nobility and bishops assembled in the Council Chamber to listen to the King's proposals. The attitude of the nobility was from the first unaffectedly hostile to the plan; and, at a meeting three days later at Lord Caulfeild's house, they came to a resolution to ask the permission of the Deputy to consult the opinion of the country in the matter. After demurring to their request as an unnecessary waste of time, Falkland yielded on condition that the matter was not carried in a tumultuous fashion, but by the election of delegates from each province to meet at Dublin at Easter 1627. Accordingly on 16 April the assembly so called met at the Castle, and the King's message having been read further discussion of it was postponed till the 19th. On that day the knights, gentlemen and burgesses of Ireland handed in a statement to the effect that, as they had been so impoverished by "cess of soldiers, frequent summonses of the Court of Wards, monopolies, gift-monies, loans, taxes, impositions and other villanies," they were unable to yield to the King's proposals.[1] Refusing to accept this as their final answer Falkland adjourned the meeting for a few days. This was on Thursday. On Sunday Dr Downham, Bishop of Derry, preaching in Christ's Church on the text, "That we being delivered out of the hand of our enemies might serve him without fear" (Luke i, 74), read a Protestation,[2] signed by the Irish Episcopacy, against the proposed toleration of Roman Catholicism, "which is to set religion to sale" and concluded by asking all who agreed to say Amen. Whereupon "suddenly the whole church almost shaked with the great sound their loud Amens made."[3]

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[1] *Cal. State Papers*, Irel., 1626, pp. 156-158.

[2] See Diary of the Proceedings of the Great Assembly, *ib.* 1627, pp. 244-246.

Neither Downham's sermon nor that of Ussher on the following Sunday was calculated to promote Charles's plan of arriving at an understanding with the Recusants, and the latter, feeling probably that he had overstepped the bounds of prudence, endeavoured at the next meeting of the assembly on 30 April to argue in favour of a compromise. The descendants of the old English settlers, though Catholics, might, he declared, be counted on to resist any foreign invasion[4]; but the dispossessed Irish and the many who had nothing to lose could not be calculated on. It was said that the "Graces" would not benefit all who were called upon to contribute for them, and the consciences of some were troubled by the promise of toleration held out to the Recusants. But when an aid was required it was impossible to ask for it in terms such as would prevent one part of the King's subjects from giving it. The Protestants should not insist on the execution of the Statute, nor the Recusants ask for its suspension. Graces of that kind should be left to his Majesty's discretion.[5] But the nobility and gentry were not to be moved.

[1] *Cal. State Papers*, Irel., 1627, p. 245.

[2] See the Protestation in *Rushworth*, ii, p. 22.

[3] *Cal. State Papers*, Irel., 1627, p. 239.

[4] As curiously confirmatory of the ill-feeling still existing between the "mere" Irish and the Catholics of the Pale see the reasons given by Bonaventure Magennis to the Cardinal Protector (1627) why only an Ulsterman should be appointed Archbishop of Armagh: "Et quamquam Armacano, tanquam Metropolitano in spiritualibus subjecta sit [Media] a provincia tamen Ultoniae, in cuius medio sita est civitas Armacana, in temporalibus est diversissima. . . . Et quamvis Catholici sint, majori ex parte, adeo tamen sunt haereticis addicti ut nequidem videre eos velint qui Anglos possent offendere, quod patet quotidiana experientia et peculiariter, eo quod ex parte haereticorum, contra Catholicos fidem propugnantes, semper steterint, quemadmodum et semper sunt parati stare, si unquam occasio sese offerret." *Spicil. Ossor.*, i, p. 153.

[5] *Cal. State Papers*, Irel., 1627, pp. 229-230.

The business, they insisted, could only be settled satisfactorily by a Parliament, and if this was not conceded, they must be allowed to send a deputation to submit their case personally to the King.

Finding it impossible to overcome their scruples, Falkland consented to this course, and early in September the Irish deputies, four from each province, arrived in London.[1] Neither their presence, nor the mission on which they had come was at all agreeable to Charles. He had hoped that the matter would have been quietly arranged in Ireland. His manner of dealing with his first two Parliaments had given general dissatisfaction to his English subjects, and it was greatly to be feared that the echo which the objection taken by the Irish Protestants to his scheme, as a setting up of religion for sale, had found in England, was not likely to render the new Parliament, he now saw himself forced to call, more amenable to his wishes. Anyhow it was clearly advisable not to aggravate the situation, and for this reason the deputation was kept kicking its heels several months in London. The time was not, however, entirely lost. For being forced to admit the difficulties of Charles's position, and having to hear some extremely bitter speeches in the Parliament which met in March 1628 as to the laxity with which the laws against the Roman Catholics were administered,[2] the deputies were moved to adopt a more conciliatory attitude, and a new set of Graces,[3] not materially differing from those originally offered them, having been promised them, they agreed to bind the country to pay £120,000, on condition that a Parliament was immediately called to ratify the agreement. Before they left London instructions had been sent to Falkland informing him that a settlement had been effected and requiring him to take steps to call a Parliament.[4]

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[1] *Rushworth*, ii, pp. 16-17.

[2] See particularly the following passage in the Remonstrance of the Commons against the Duke of Buckingham (*Rushworth*, i, p. 622): "It doth not a little increase our dangers and fears this way to understand the miserable condition of your kingdom of Ireland, where without control the Popish religion is openly professed and practised in every part thereof, Popish jurisdiction being there generally exercised and avowed, monasteries, nunneries, and other superstitious houses newly erected etc. . . . which, of what ill consequence it may prove if not seasonably repressed, we leave to your Majesty's wisdom to judge."

[3] For the Graces in this their ultimate form see *Strafford's Letters*, i, pp. 312-327.

[4] *Cal. State Papers*, Irel., 1628, pp. 346, 370.

This he immediately set about doing, and some of the writs had already been issued when it was discovered that this manner of proceeding was entirely contrary to the order prescribed by Poynings' Law. The matter was submitted to the judges in England and on 2 October they decided that until the mistake was rectified no Parliament could legally be held in Ireland.[1] It is true their decision amounted only to a postponement; but, as no immediate steps were taken to put things in order, it is impossible to avoid an uncomfortable feeling that Charles, having attained his object, was in no hurry to fulfil his share of the bargain.

Charles's reluctance to call a Parliament was probably rather to the advantage than to the disadvantage of the Roman Catholics. For it was clearly impossible for Government while living from their contributions to be too exacting on them in the matter of religion. Letter after letter was intercepted at this time expressive of the satisfaction felt abroad at the progress the faith was making in Ireland.[2] Not only was the mass everywhere celebrated with perfect impunity, but new churches were being erected, monasteries founded, and the ecclesiastical organisation of the country perfected.[3] Indeed so great was the security enjoyed by them that the Catholics were at leisure to quarrel amongst themselves, and instead of being filled as they used to be with complaints of persecution, their letters at this time are mainly occupied with the rivalries of the secular and regular orders.[4] On the other hand it is not to be wondered at if such quasi-legal toleration of Roman Catholicism gave great offence to the Protestants. It is well known, Sir Francis Annesley reported, that the British plantations did an immense amount of good in civilising and enriching Ireland. Lately, however, the English have received so much discouragement that the tide of immigration has turned, and the people are beginning to leave the country. This he attributed partly to the toleration shown the Catholics, the introduction of Popish schoolmasters and priests and the influence of the Jesuits; partly to the oppressions of the soldiery.[1] Without going so far as to advocate an anti-Catholic crusade he thought that some steps should be taken to enforce the law for the maintenance of the King's supremacy and the suppression by degrees of all public mass-houses. If this were done and the soldiers confined to their garrisons, and not cessed on the country, justice honestly administered, and steps taken to call a Parliament, all might still be well.[2]

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[1] See Order of reference to the judges and their opinion concerning a Parliament hastily called in Ireland in *Rushworth*, ii, pp. 19-21.

[2] *Cal. State Papers*, Irel., 1629, pp. 414-415.

[3] *Ib.* pp. 436-437. *Cf.* Sir John Bingsley's account of the state of the Church in Ireland, *ib.* p. 442: "Papal officers are now resident in every archdiocese, diocese, deanery, abbotry, priory, parsonage and vicarage. Over every five or six parishes there is set a vicar-general who governs as absolutely as any Bishop in England. They reform the clergy in large numbers, hear causes by Papal authority, and adore the King of Spain and the Pope more than God Almighty. There are above 3000 unbeneficed priests supported on contributions, which are paid regularly every month in cash, and the King and his army must stay for their rents and revenues till the damned priests be supplied. The Protestant clergy are a set of very profane and drunken fellows, who neglect their services even in Christchurch in Dublin."

[4] Cf. *Spicil. Ossor.* i, p. 142: "Ad praesens clerus Hiberniae pace fruitur optima, licet particulares lites nunquam desint," etc.

No doubt Annesley was right. The only difficulty was how to put his advice into practice. It was of course easy enough to publish a Proclamation, as Falkland did on 1 April, forbidding the exercise of all ecclesiastical jurisdictions derived from Rome, and ordering the dissolution of all Catholic colleges and monasteries.[3] It was even possible for a discredited Deputy, whose revocation was already determined on, to delude himself with the notion that, because the Catholics, knowing the harmlessness of such proceedings, had offered no opposition, he had actually accomplished something.[4] But it was another matter when it came to finding money for the army, which, as it was supported, was even a greater grievance to the Protestant settlers than it was to the Catholics.

Money was always scarce in Ireland. It was scarcer in 1629 than usual, owing to a bad harvest and the necessity there had been of importing grain from England.[5] Despite the measures taken by Government to prevent the engrossing of corn, provisions were at famine prices, and as usual famine was followed by agrarian disturbances. Bands of roving swordsmen, or, as they would have been called at a later period, tories, prowled about the country, taking by force the means of subsistence, which they could come at in no other way. To their disorders were added those of an unpaid and mutinous soldiery. "I fear," Falkland wrote in May, "they will goad the people into rebellion unless some money is sent." [1] A few weeks later Docwra announced that they had taken to plundering private individuals both in their houses and on the highways.[2] Government took severe measures to repress these disorders. The hand of the Provost-Marshal was felt far and wide. Never since he had known Ireland, Falkland wrote, had there been more people executed than at the spring assizes that year.[3] It was admitted that it was as much as the country could do to find provisions for the soldiers quartered on it. Money payments were out of the question.

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[1] *Cf.* on this point the Protest of the inhabitants of King's County against the extortions committed by Sir Pierce Crosby's company of foot in marching through their county. *Cal. State Papers*, Irel., 1629, p. 421.

[2] See Abstract of Annesley's Report, *ib.* p. 441.

[3] See the Proclamation in *Rushworth*, ii, p. 21.

[4] *Cal. State Papers*, Irel., 1629, pp. 446, 450.

[5] *Ib.* p. 446: "The dearth of corn here is very great and though we have taken steps to prevent engrossing and to spread the existing supplies over the country, the poor people are not yet relieved." *Cf.* Petition of the County of Kilkenny, *ib.* p. 467: "Owing to the famine and necessity of purchasing corn in England, money is drained out of Ireland."

In the circumstances then, the order, which just at this time came from England, requiring the subsidies (as they were called) to be paid directly into the Exchequer, had little chance of being obeyed. The news, St Leger wrote from Mallow in June, that all taxes are to be sent to the Exchequer has caused the people to refuse to pay anything to the soldiers. The soldiers in consequence have become very insolent, and seize provisions when they are being brought to market.[4] From all sides, from the Protestant planters in Tyrone and Donegal as well as from the Catholic gentry in Westmeath and Kilkenny, petitions flowed in on Government protesting their inability to comply with the order.[5] It was in vain that Falkland tried to allay the public discontent by promising an immediate Parliament. In the end the obnoxious order had to be withdrawn.[6]

With its withdrawal and the departure of Falkland about the same time affairs drifted into a quieter channel. Neither the Earl of Cork, nor his colleague the Lord Chancellor, Adam Loftus, to whom the government of the country was temporarily entrusted, was likely to carry matters with a high hand. As for the latter indeed he was only too willing to leave the burden of office to his colleague provided he was allowed to enrich himself in his own way. As for Cork his long experience of Ireland and his interests as a large landowner were entirely on the side of letting things alone. Something of course he felt obliged to do, by the letter of his instructions, to restrict the growth of Roman Catholicism,[1] and indeed so far as putting a stop to the over-zealous proceedings of the friars and Jesuits, by razing their houses or turning them into places of correction was concerned, his heart was wholly in the business.[2] But, though a fervent Protestant, he was not by nature a persecutor, and was perhaps a little too apt to regard the fines inflicted on recusancy less as a means of conversion than as a profitable source of revenue to the State. His one great object in fact was to keep the country quiet, and by governing economically, to postpone the day of reckoning with Parliament as long as possible. And it must be admitted that not only was he fairly successful in this respect, but his method of managing things gave pretty general satisfaction. "I cannot say," he wrote to Dorchester in December 1630, "and no statesman in this age can say it, that I know Ireland well. Bad communications and the Papist influence keep the body of it estranged from us. But I have known Ireland for 43 years, and never saw it so quiet. . . . The great lords of the Irish, their former leaders, who before had a great following, are all gone. The rebellious spirits have grown old and the kerne and horsemen are not to be seen and have no arms. The Irish gentry have got titles from the King, or by currency of the law, and no longer depend on their great lords. If we have a few more years of peace I think the King ought to be able to command a levy of English and Irish, reformed in manners and religion, more powerful than any force which the disloyal party could raise. This is a marvellous change from the state of affairs which old inhabitants can remember. Buildings and farming are improving, each man striving to excel the other in fair buildings and good furniture, and in husbanding, enclosing, and improving his lands. I wish there were foreign employment to keep the well-born Irish youth busy, and trades to occupy the young men of meaner sort. The walled towns are inhabited almost altogether by the ancient English, and these old colonists are, I think, more loyal than otherwise, and they like peace, which is good for their trade and estates. Contentment is, in fact, general." [1]

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[1] *Cal. State Papers*, Irel., 1629, p. 450.
[2] *Ib.* p. 459.
[3] *Ib.* p. 450.
[4] *Ib.* p. 465.
[5] *Ib.* pp. 468-469.
[6] *Ib.* pp. 467, 477.

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[1] *Cf.* Cork to Dorchester, 2 Aug. 1630, *Cal. State Papers*, Irel., p. 563: "I am bent upon serving the King well, and treasure up his parting words to me to have a care to abate the pride of the Papists, and to the increase and orderly disposing of the revenues."

[2] Same to Same, 2 March 1630, *ib.* p. 521: "I am glad to have gained the King's approval of my design to destroy the house of the friars where the Archbishop of Dublin was insulted, and to turn the other houses into places of correction or of business."

Perhaps Cork was taking rather a sanguine view of the state of affairs. Certainly there was much in the condition of Ireland which from an English standpoint betokened rather the weakness than the strength of Government. The revenue, though rising, hardly sufficed to meet the expenditure, and when the contributions came to an end, as they were shortly bound to do, no one knew what would happen ; the army was barely sufficient, since its reduction, to police the country ; it was badly officered and laxly drilled ; the narrow seas swarmed with pirates, and commerce was pretty nearly at a standstill ; the laws against recusancy were rapidly slipping into abeyance, or were only enforced as a means of augmenting the revenue ; the planters were extremely negligent in the fulfilment of the conditions of their patents, and had long since turned their swords, if ever they possessed any, into ploughshares. But enough for the day was the evil thereof. Irishmen generally were, as Cork said, content.

It was a pity Charles could not let well alone. Five years later the historian can describe the state of Ireland as one of universal discontent. It is well to bear this fact in mind. So much has of recent years been written in extenuation and even in praise of Strafford's government that we are apt to forget what was the view taken of it by his contemporaries. Indeed it is difficult while under the magnetic influence of his letters to see things from any other standpoint than his. In our admiration of his strength of character and of his simple devotion to his sovereign, and in pity at his untoward fate we are only too ready to forget that he was really a curse to Ireland. When all the good, that can be said for it, has been said, it remains that his was just the government which Irishmen did not want. The one thing that can really be pleaded in extenuation of his policy is that he saw the situation entirely from an English point of view. For him Ireland existed only as a means to an end. She was a conquered country, he said, and the King could do with her what he liked. Substituting "England" for the word "King" his opinion was shared by every Englishman of his day. Substantially the only difference between him and such men as Pym and Cromwell was that whereas he meant to use Ireland to strengthen Charles's position they were determined that he should not. And herein lies the irony of the situation as regards both Strafford and Ireland. It was Strafford's arbitrary conduct as Deputy that brought him to the block, yet how many of those who talked so eloquently about his attack on the liberties of Ireland would have troubled themselves in the slightest to defend those liberties had they not instinctively felt that it was their own that were in question? The danger past, they were as ready as ever he had been to contemn the notion of Irish liberty.

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[1] *Cal. State Papers*, Irel., 1630, p. 589.

Taking this view of Strafford's administration we are here less interested in recalling his efforts to promote the material welfare of Ireland than in noting the almost universal indignation those efforts provoked. Wherever we turn, and to whatever class of the community we look, we find the same feeling of dissatisfaction at his proceedings. No doubt our pity for such men as Cork, St Albans, Mountnorris, Loftus, Wilmot, Crosby and the rest, who felt the brunt of his personal displeasure, is largely tempered by a feeling that their punishment was not altogether undeserved. Still their position was much the same as that of the "Undertakers" in the eighteenth century, and if it was chiefly to their own interests they looked, it could not be denied that those interests were largely those of the country itself. But it could not be urged that they were identical with those of England, and to Strafford looking at the matter from this standpoint they were altogether harmful. That it was, to say the least of it, unwise of him to arouse so much personal animosity, and a fault which he lived to pay the penalty for, was just one of those things which his advocacy of the policy of "thorough" caused him to disregard. And indeed it might have been forgiven him had he not displayed the same lack of tact in public as he did in private affairs. But there was nothing connected with the government of Ireland which he had not the misfortune to bungle. The fact is he was not only disdainful of advice, but profoundly ignorant of the history of the country he had undertaken to rule. His firm resolve to fashion out of Ireland another England overrode every scruple as to the means he employed to achieve his end, and blinded him to the fact that he could not treat the country as a *tabula rasa* on which to write his own pleasure.

In his dire distress Charles, as we have seen, had promised the nation certain concessions or " Graces," and chief among them had consented that a sixty years' title should be a bar to any claim on the part of the Crown. Without the slightest compunction Strafford set aside the concession. He was determined to effect a new plantation in Connaught—an English and Protestant plantation which should balance James's Scottish and Presbyterian plantation in Ulster, and besides prove more profitable than it had done to the Crown. It was nothing to him that in doing so he had to break the pledged word of the King; nothing that, at the prevailing price of land in Ireland, and the reluctance of Englishmen to invest their money there, his scheme never had the slightest chance of success; nothing that the measures he was obliged to take to enforce a reluctant acknowledgment of the Crown's title had brought the country to the verge of rebellion. In his army he had a sufficient answer to all the scruples of honesty and prudence. So much for the Catholic landowners in Connaught. As for the Protestant settlers in Ulster they were to be taught by fines and confiscation that they had risked their lives and fortunes in a wild and barbarous country not to advance their own estates, but to provide a revenue for the Crown. Strafford's hatred of everything that savoured of Scotland and Presbyterianism gave him a malicious pleasure in recalling these recalcitrant Scots and purse-proud citizens of London to a sense of their duty. With the one hand he robbed the latter of their chartered rights; with the other he whirled the lash of a religious persecution over the heads of the former unless they would stoop to conform their consciences to the Church discipline of his friend Laud. Better a thousand times that these industrious, God-fearing settlers should be driven out of the country than that the infection of Presbyterianism should canker the whole State. With the " Black Oath " before them it was little wonder that Strafford's name should have been a word of loathing throughout the length and breadth of Ulster; no wonder that these fiery Calvinists should have seen in him the emissary of Rome itself. For what else could one think of a man who was so foolish as, in a Catholic country, where the Pope had more subjects than the King himself, to endeavour by every means within his power to quench the light of God's truth?

And if this was the view of the Scottish Presbyterians, it differed little from that of the English of the Church of Ireland. In his desire to assimilate Irish institutions to those of England Strafford had, shortly after assuming the government, insisted to Laud, on the necessity there was of enforcing the canons of the Church of England on that of Ireland. The Irish Church, as he remarked, had no canons of its own. This was quite true; but the proposal was none the less utterly distasteful to most Irish Churchmen; for, though the Irish Church had in its origin been a mere offshoot of that of England, its development, owing to its peculiar position, had been on quite different lines, and Irishmen were rather proud than not of the distinction. Its Articles of Belief,[1] set forth in the Book of Articles published in 1566 by the authority of Sir Henry Sidney, were those which Archbishop Parker had drawn up for the Church of England in 1559. They had served their purpose till 1615, when, under pressure of the Catholic danger, a Convocation adopted a set of Articles drafted by Ussher. These Articles, while retaining the Articles of 1566, included certain others known as the Lambeth Articles, drawn up for the Church of England by Archbishop Whitgift in 1595, but rejected both by Elizabeth and James as unsuitable for that Church, owing to their strongly Calvinistic tendency. They had, however, as remarked, been adopted in Ireland with James's consent, and had served as a working basis of co-operation between the clergymen of the Episcopal Church and the ministers of the Presbyterian Church in Ulster,[2] so that in that province at any rate Roman Catholicism had encountered a most formidable bulwark.

Unfortunately this was just what Strafford took objection to. In his opinion the Church of Ireland was becoming contaminated with Presbyterianism, and forfeiting its position as an independent institution. The easiest way, he thought, to remedy the evil was that the Irish Church should adopt bodily and without alteration the canons of the Church of England, including the Thirty-Nine Articles. But Convocation, when ordered by him to act accordingly, was slow to obey his behest, and though in the end constrained to adopt the canons, with certain modifications,[1] it did so with the greatest reluctance, and it is well known that the head of the Irish Church, Archbishop Ussher, never till his dying day complied with them. Indeed it must be admitted that, had Strafford deliberately intended to damage the usefulness of the Irish Church, he could not have hit upon a plan better calculated to effect his purpose than the one adopted by him. It was just one of those senseless efforts at assimilating Irish to English institutions so dear at all times to English statesmen, ignorant of the special needs of Ireland, that have done so much to estrange the two countries. Not only did it serve to isolate the Church of Ireland still more than it was, but at the time it gave just cause of fear to the Roman Catholics that a fresh religious persecution was intended.[2]

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[1] See the Articles in Mant, *Hist. of the Church of Ireland*, i, pp. 272-275.

[2] Cf. Reid, *Hist. of the Presbyterian Church in Ireland*, i, p. 95.

Thus wherever we look, and to whatever class of the community we turn we find distrust, discontent and disaffection as the fruits of Strafford's administration. It is the other side of the picture historians are so fond of showing us. But worse almost than the result was the means adopted by Strafford to secure his object. The principle of *divide et impera*, or, as he called it, of poising the one party by the other, is a useful one ; but it has its dangers, and for Strafford the danger was that, as neither party derived any benefit from his government, both would unite to destroy him. This was what actually occurred. So long, however, as the fear of his displeasure was upon them neither Catholics nor Protestants, facing each other like muzzled dogs, would, as he maliciously remarked, allow the other side to rob them of the merit of loyalty. Money was forthcoming in greater profusion than even he had dared to hope. The unanimity with which the Commons protested their readiness to share their last shilling with Charles in his quarrel with the Scots was touching in the extreme. And indeed so far as the majority of them were concerned there is no reason to question their sincerity. For the Catholics at any rate their cause was identical with that of the Crown,[1] and there were many Protestants who had no desire to see Charles beaten. But for Strafford the feeling of the Irish Commons was one of unmitigated hatred.

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[1] Including, curiously enough, a more explicit statement of the virtue of auricular confession and absolution than was contained in the English canons. See particularly the 19th canon and *cf.* Laud's comment on it in Strafford's *Letters*, ii, p. 212.

[2] See on this point Sir George Radcliffe's letter in Berwick, *Rawdon Papers*, p. 23.

Accordingly no sooner was his back turned on them, for the last time as it proved, than they set to work with resolute unanimity to pull down the building he had been at so much pains to erect. Their one desire was to destroy all trace of his hated presence, and to restore things to the state they had been in before ever he had come amongst them. Not till they were freed of him and all his works would they be able to breathe freely. Accordingly Parliament had no sooner reassembled for its second session on 1 June 1640, than the Commons, in pursuance of their plan, began to propose an alteration in the method of raising the subsidies they had recently voted. As the proposal, however, would have considerably diminished their value it was at once rejected by Lord Deputy Wandesford, and Parliament immediately prorogued. But the Commons were not to be diverted from their purpose, and, on the House meeting again in November, they passed a resolution ordering the collection of the subsidies to be made in a moderate and parliamentary fashion. Not content with this attack on Strafford's authority they voted a Remonstrance of Grievances for presentation to the King. But fearing that Wandesford, as he actually did, might refuse to transmit it, they nominated a select committee to submit it personally to Charles. Next day (12 November) Wandesford again prorogued Parliament and issued orders forbidding the deputies to leave Ireland. But to this order they paid no attention, and sailing on the 13th, they reached London apparently on the 19th.[2]

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[1] There is no reason for supposing with Gardiner (Art. Wentworth in *Dict. Natl. Biog.*, p. 277) that the Roman Catholics hoped by supporting Charles against the Covenanters to obtain toleration for their religion. They enjoyed complete toleration ; but they were afraid that if they did not support Charles they would have to reckon themselves with the Covenanting spirit. Their attitude was noticed and commented upon in Scotland. See the Declaration of the Army of Scotland to their Brethren in England, in Nalson, *Impartial Collection*, i, p. 417.

[2] According to Carte (*Life of Ormond*, i, p. 115) the Remonstrance was not delivered to the King till 3 Jan. 1641, though it made a much quicker passage to the place for which it was really designed—the House of Commons of England. This is a mistake, as appears from an Order of the King in Council, 22 Nov., to appoint certain persons to repair next day to the Lord Lieutenant to receive his advice on the grievances sent out of Ireland, and to confer with him thereon and report to the King. (*Cal. State Papers*, Irel., 1640, p. 247.) The names of the deputies are very significant. They were Sir Donough MacCarthy,

The Remonstrance was directed to the King, but its contents speedily became known to the English Parliament, and proved a veritable godsend to Pym and the party who were managing the impeachment of Strafford. As for the Remonstrance itself, the most remarkable thing about it is that in all its sixteen articles there is not one word of religion. Indeed as a statement of grievances it is, as any compromise between Protestants and Catholics was bound to be, a very feeble document; but it was a clever—one would not be far wrong in saying an unscrupulous—attack on Strafford, and this was all that was wanted at the time. Afterwards in the hands of Pym and his friends it assumed a very different complexion. Strafford, it was asserted, had said that Ireland was a conquered nation, and the King could do what he pleased with them. The better to effect his purpose he had allied himself with the Irish, and had raised an army of 8000 men consisting of Papists. This army he had advised the King to employ against his English subjects. Of his refusal to confirm the Graces, which was the main burden of their Remonstrance, the English Commons had nothing to say. It was not long before the Catholic deputies began to rue the day they had ever thought of appealing for justice to the English House of Commons. They had brought Strafford to the block. They had had their revenge. But what about their own position? Little by little it must have dawned on them that, for them as Irish Papists, Strafford was perhaps not their deadliest foe.

Meanwhile the Irish Parliament had, according to the prorogation, reassembled on 26 January 1641; but owing to the death, during the recess, of the Lord Deputy, Sir Christopher Wandesford, and the necessity of appointing Lords Justices it was adjourned to 30 January and afterwards to 9 February. Its proceedings during this session, which came to an end on 4 March, need not detain us. "The House of Commons," the Lords Justices, Parsons and Borlase, wrote to Secretary Vane on 8 March, "has been busy for a month in examining into the Lord Lieutenant's conduct about the customs, the grant of tobacco, the proclamation concerning yarn etc. When this had gone on

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Sir Hardress Waller, and John Walsh for Munster; Nicholas Plunkett, Nicholas Barnewall, Richard Fitzgerald and Simon Digby for Leinster; Sir Roebuck Lynch, Geoffrey Browne and Thomas Bourke for Connaught; Sir James Montgomery, Sir William Cole and Edward Rowley for Ulster.

for a month we decided to prorogue Parliament till the second week in May. But before the prorogation the Commons sent a Committee to the Lords' House accusing the Lord Chancellor, the Bishop of Derry, Sir Gerard Lowther, and Sir George Radcliffe of high treason. We then settled at the Board to put off prorogation till 4 March, and decided to discuss the sending of the Commons' Bills over to England. On 4 March we were ready to prorogue when the Commons sent up the charge of treason already mentioned. The Peers begged us not to prorogue. If the Lord Chancellor were removed who was to put the motion, and what was to be done about the Great Seal in his possession? We replied by proroguing the Houses, stating as our ground the necessity of collecting the subsidies, for which we depended on gentlemen many of whom were now members of the Commons."[1]

The Lords Justices omitted to report that before the prorogation the Lords and Commons had agreed to send a joint request, through their agents in London, to the King, begging him not to dissolve Parliament, and to cede the "Graces" promised in 1628. To these requests Charles returned a favourable answer, and on 3 April he sent Instructions to the Lords Justices to prepare Bills in the sense desired. The order, especially as it affected the projected plantation of Connaught, was little to the liking of the Irish Government, and a long protest in the shape of a praise of plantations in general, and of that of Connaught in particular was soon on its way to England.[2] But the news that the King had granted its prayer could not be concealed from the nation. Government was stormed with petitions that the Bills should be sent away without loss of time.[3] It was the most popular act of Charles's reign, and won thousands of hearts for him. "I hear," Loftus wrote on 29 April, "that several people here (I think it is the Connaught men) intend to offer the King to maintain the New Army for a year."[4] When Parliament met again in May it passed a vote of thanks to him for the concessions made the country. But welcome though they were, these concessions did not go far enough. The fact is the gentry of the Pale had recognised their opportunity ; they had a majority in both houses, and were determined to use the chance given them to put the government of the country on a constitutional basis. In particular they were anxious to remove certain abuses connected with the interpretation of Poynings' Law. The intention of that law, they took the liberty of informing the King, was not to exclude the subject from a knowledge of and participation in the Bills framed for the good of the country, but merely that his Majesty and the Council of England should be made acquainted with the contents of such Statutes as should pass in Ireland, thereby to prevent the sinister practice of former governors, who procured several Bills to be passed for laws, without the privity of the King, which were pernicious and prejudicial to the Crown and people. The law, however, they admitted, was open to misconstruction, and to clear up all doubts it was desirable that a new Act should be passed, so that Bills prepared by the Irish Parliament should be sent to London whether the Irish Council approved them or not.[1] Further, and in order to remove national distinctions, the King was invited to admit the natives to an equal share with others in the plantations.[2] At the same time the House of Lords passed a resolution declaring the Irish Parliament to be the Supreme Judicatory in the realm.[3]

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[1] *Cal. State Papers*, Irel., 1641, p. 259 (condensed by the Editor).

[2] *Ib.* pp. 275-278.

[3] "I have nothing but bad news for you. . . . We send over the Acts of Limitations, and to give away lands in Connaught. All the Lords of the Pale came to press them, and with one voice spake against plantations in general, which is now the main work of the Papists." Loftus to ? Vane, 26 April, *ib.* p. 279.

[4] *Ib.* p. 279.

Government meanwhile was watching these proceedings with anxious forebodings. Unable to refuse obedience to the King's Instructions the Lords Justices had at last transmitted the Bills. But the situation, owing to this new claim of judicature, and the determination of Parliament to press the trial of the Lord Chancellor and the other members of Government impeached of high treason, had, in their opinion, grown extremely critical. The army was not to be relied on. The soldiers were without discipline and had once more taken to plundering houses and robbing on the highway.[4] The country and particularly the city of Dublin was swarming with Jesuits, friars and priests, and recently there had been a very great assembly of them at Maynooth.[1] A nunnery was in process of erection at Drogheda, so spacious that it contained fourscore windows aside. No doubt there was some truth in these reports ; but the intention of the Lords Justices to exaggerate is apparent. As a matter of fact the country was fairly quiet—as quiet as could reasonably be expected in the general state of excitement. The King's promise to concede the Graces had worked wonders, and now that the Bills had been transmitted and might soon be expected back again, everybody was looking forward to the future with confidence. So far as the human eye could see there was not a cloud on the horizon. But between Government and the Parliament there was a wide cleft which every day grew more impassable. So deeply grounded indeed was the jealousy between them that on 8 June the Houses passed a joint resolution not to ask any further question from Government, but to petition the King directly, and two days later drew up a joint address praying the King to believe in their loyalty and not to listen to their detractors.[2] Their fears that by some trick or other Government would rob them of the King's Grace proved well founded. At the beginning of August it was rumoured that the Bills were about to be returned, and with this knowledge in its possession Government on 7 August deliberately prorogued Parliament. Before it met again the Rebellion had swept away all chance of a peaceable settlement.[3]

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[1] Memorial concerning Poynings' Act presented to the King in Council, 17 May, *Cal. State Papers*, Irel., p. 286.

[2] *Ib.* p. 292.

[3] *Ib.* p. 297.

[4] *Ib.* p. 285.

At the time no one dreamt that any such catastrophe was at hand. Even the closest observer of the political situation could detect no sign of a coming storm. That when it came it took everybody by surprise is absolutely beyond doubt. But historians are slow to admit the fact. They are unable to realise that a rebellion so disastrous in its consequences can have had its origin in anything but a deeply laid conspiracy. At one time it was their fashion to attribute it to the secret machinations of the Jesuits. Rome, it was urged, was at the bottom of the plot. Modern writers, on the other hand, would have us believe that its causes are to be looked for in the confiscations attendant on the plantation policy of the preceding hundred years. The Irish Rebellion, we are told, was essentially an agrarian rising. No doubt there is some truth in both these views. But if it is intended thereby to assert that the Irish Rebellion was due to the religious and agrarian grievances of the Irish that statement only admits of a flat contradiction. Let the reader, who has any doubts on this point, consider the Manifesto published by Sir Phelim O'Neill on 23 October[1] as expressive of the reasons which had led the northern Irish to take up arms—let him consider the grounds alleged by the gentry of the Pale for their rebellion in their "Humble Apology"[2] addressed to the King in December 1641, and he will not find in either of them a single word about grievances, either agrarian or religious. The fact is the Irish could not allege as an excuse for their conduct what had actually no existence, and it must be said (though the statement runs counter to "patriotic" prejudice) that, as a nation, they were labouring under no such grievances as those which had forced the Scots to rebel, or which were rapidly bringing civil war upon England. It is clear from the documents just referred to that what did really move the Irish (so far as they were not the victims of an untoward accident) to appeal to arms was fear—fear of the English Parliament. That their fear was not unfounded this Introduction, it is hoped, will be regarded as a sufficient proof. For years Puritan England and Catholic Ireland had been confronting each other as mortal enemies. The quarrel was one which was bound to be fought out sooner or later. That it should have come to a collision just at this moment, and that it should have been Ireland which threw down the gage to England was due to the folly, or ambition, or patriotism, or what we like to call his conduct, of one man—Rory O'More.

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[1] *Cal. State Papers*, Irel., 1641, p. 307.

[2] *Ib.* pp. 303, 315.

[3] The reader, who is familiar with the history of Ireland in the eighteenth century, cannot fail to be struck with the close parallel presented by the conduct of Government at this critical juncture and that of Lord Camden after Lord Fitzwilliam's recall.

The story of the conspiracy that led to the Rebellion has been retold scores of times since it was first given to the world by one who played a principal part in it. Historians have found little to add to or to take away from Lord Maguire's "Relation"; and indeed the narrative bears on the face of it so unmistakably the stamp of truth, that all that remains to do is merely to add a word of explanation now and then as to events on which Maguire was not so fully informed as we are now, and to fix a little more precisely the dates of the events recorded by him. About the beginning of February 1641 then, Lord Maguire received a message from Rory O'More of Ballina, in the county of Kildare, asking him to call on him, as he had a matter of importance to communicate to him. Parliament was sitting at the time and Maguire finding it impossible to leave Dublin, O'More came up to town and had a meeting with him at his lodgings. After some remarks on the general situation of affairs, and the discontent created by Strafford's government, O'More ventured to suggest that if the gentry of the kingdom were disposed to free themselves from the like inconvenience in the future, and get good conditions for themselves, with the recovery of a good part of their estates, they could never desire a more favourable opportunity, owing to the disturbed state of England and Scotland. He had, he said, discussed the matter with the leading gentry of Leinster,[1] and found them willing to risk a rising, provided they were assured of the co-operation of those of Ulster. Would Maguire undertake to arrange a meeting with them ? Maguire, who was over head in debt, fell into the trap and agreed. With his assistance a meeting was arranged between O'More and Philip O'Reilly, Turlough O'Neill and MacMahon. To the doubts expressed by them as to the sincerity of the gentry of the Pale, O'More replied that they need fear no opposition from them, and, even if they would not assist, they could manage the business without them. What was of more importance was to know whether they might expect the co-operation of the Irish abroad. To ascertain how the land lay in this respect it was determined to send a messenger to the Continent, and in the meanwhile to do nothing but, as opportunity offered, to sound the feeling of the country. Accordingly nothing further had been resolved on when in April a message arrived from the Conde di Tirone in Spain, assuring them of his support and promising assistance from Cardinal Richelieu. But as almost simultaneously with the message came the news of Tirone's death it was determined, before taking any definite steps, to communicate with Colonel Owen O'Neill (now by Tirone's death the head of the clan O'Neill) in the Netherlands, and to solicit his advice.

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[1] Printed in *Nalson*, ii, p. 555.

[2] Printed in Carte, *Life of Ormond.* App., Letter xlvii.

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[1] When brought to book for this statement O'More had to admit that he had done no such thing.

Matters had reached this point when the conspirators were made aware of a plot in progress to wrest the government out of the hands of the Lords Justices, Parsons and Borlase, in the interest of the King. A word or two of explanation is necessary at this point by way of supplementing Maguire's "Relation." At the close of 1639 the Irish standing army amounted to about 2000 foot and 1000 horse. It was chiefly composed of Protestants, and, owing to Strafford's personal supervision, was in a high state of efficiency, but it was no larger, in his opinion, than was necessary to preserve order in Ireland. More than once since things had reached a crisis in Scotland Charles had been urging a considerable addition to it; but the opportunity to do so came first when the Irish Parliament agreed to find the money necessary to support it. On leaving Ireland in April 1640 Strafford gave instructions to Ormond to take instant measures to raise the strength of the army to about 10,000 men. His order was obeyed and at the beginning of autumn 8000 men, forming what was called the New Army, were concentrated about Carrickfergus, ready, as Strafford informed Charles, to obey his commands in whatever part of his dominions he desired. Unlike the standing army, the New Army was chiefly composed of Roman Catholics. It was still assembled at Carrickfergus, where its presence was a great source of anxiety to the Protestant settlers in Ulster, when the attention of the English House of Commons was called to it on 4 January 1641, and again two days later by Sir Walter Erle, who stated its numbers to be close on 10,000 men, "all or most of them Papists."[1] A committee was appointed to inquire into the matter, and its report was sufficiently serious to induce the House of Commons on 13 February to address an invitation to the Lords to join with them in a petition to the King asking for its immediate disbandment.[2] To this petition the King returned no answer, and in April the Lords pressed him for a decision. Nothing, however, could be elicited from him except a promise that the New Army should be disbanded at the same time as the Scots' army.[3] On 24 April a petition was presented to Parliament by the City of London complaining of it as a source of great danger, and two days later the Lords and Commons once more addressed the King on the subject.[1] On 8 May the Earl of Bristol reported that his Majesty had resolved to disband it, and, in order that the soldiers might not prove troublesome to the country he had nominated eight colonels to carry them into foreign parts, to serve any prince with whom he was at amity.[2]

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[1] D'Ewes' Diary quoted in Gardiner, *Hist. of Eng.*, ix, pp. 254, 255.
[2] *Ib.* pp. 289, 290.
[3] *Ib.* pp. 325, 344.

To this arrangement the English Parliament interposed no immediate objection, and orders were sent to the Irish Government to effect the disbandment, and to see that the men, after being disarmed, were handed over to the officers appointed to carry them abroad. With the assistance of the Earl of Cork and several other gentlemen, who agreed to advance £10,000 for the payment of its arrears, the New Army was accordingly quietly disbanded by the end of May and its arms laid up in the Castle. The men were being re-enlisted to serve abroad, and one regiment of 1000 men had already left the country, when first the Irish Parliament and then the English Parliament took objection, for different reasons, to the proceeding, and on 6 August the latter interfered with an order directly forbidding the levies.[3] It was apparently just at this time that Charles conceived the idea of turning the situation to his own account. Anyhow about the end of July or beginning of August a message from him reached the Earls of Ormond and Antrim requiring them to keep together the Irish army, and if possible to raise its strength to 20,000 men. The order arrived too late to be executed, for the army had already been disbanded, though about 4000 men, specially licensed by the Lords Justices, were still waiting their chance of being transported abroad. Information to this effect was accordingly sent to the King through Captain Digby, constable of Dunluce Castle. Digby met the King at York, on 12 August, on his way to Scotland, and shortly afterwards returned to Ireland with a message signifying his Majesty's pleasure "that all possible endeavours should be used for getting again together those 8000 men, so disbanded, and that an army should immediately be raised in Ireland, that should declare for him against the Parliament of England, if occasion should be for so doing." [4] Armed with this authority, Antrim, according to his own account, imparted the design to Lords Gormanston and Slane, and to many others both in Leinster and Ulster.

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[1] Carte, *Life of Ormond*, i, p. 132.

[2] Nalson, *Collections*, ii, p. 233.

[3] *Rushworth*, iv, pp. 357, 360.

[4] Cox, *Hib. Anglicana*, ii, App. xlix, p. 208.

In this way the northern conspirators, O'More, O'Reilly, Maguire and the rest, were made aware of the existence of a plot, which to a certain extent tallied with their own designs. They had recently received a message from Owen O'Neill urging them to go forward with their plan, and assuring them of assistance from Cardinal Richelieu. But whatever doubts they might still have felt as to the wisdom of the step they were meditating were now entirely set at rest by the news they had received of Charles's scheme. Overjoyed at the prospect of assistance from a quarter they had hardly dared to expect it, they redoubled their energies, and were looking forward to the issue with every confidence, when they were suddenly informed that the army plot had been abandoned, or at any rate postponed. The fact was the measures taken by the English Parliament to prevent any further levies had completely dashed Charles's plan. The news acted as a cold douche on the conspirators, but it did not induce them to abandon their design. At a meeting on 26 September it was resolved to go forward with the plot on their own account, keeping to their old plan, with the addition of the design of seizing Dublin Castle. At a final meeting on 5 October Saturday the 23rd was fixed as the day on which the general rising should take place. As is well known the plot was betrayed at the eleventh hour, and the attempt to capture Dublin Castle failed. But the rising took place as arranged in Ulster. Dungannon, Charlemont and Newry fell into the hands of the insurgents; but Derry, Coleraine, Lisburn, Belfast, Carrickfergus and Enniskillen escaped.

It does not fall within the scope of this Introduction to describe the progress of the Irish Rebellion. It was soon known in England that the rising had, in Ulster at any rate, been attended with considerable cruelty and bloodshed, though of a general massacre of Protestants nothing was at first heard. In fact no such massacre as that afterwards charged on the Irish ever did take place. But there was, as remarked, sufficient cruelty and bloodshed to give colour to that charge, and the belief that some such massacre had occurred, as that subsequently depicted in lurid colours by Sir John Temple and other writers, when 200,000, and even more persons were stated to have been murdered in the most horrible circumstances, was as potent in England as if such a massacre had actually taken place. This is the point on which we should concentrate our attention—the belief in the massacre, not the so-called massacre itself.[1] To Charles of course the news of the rising was an awful shock. He saw at once what a terrible handle it would give to the English Parliament against him, especially when it began to be rumoured that the Irish were claiming to be acting on his instructions, and did everything in his power to establish his own innocency. But his efforts were unavailing. From the very first he was in the same boat as the Irish, and his enemies were determined to keep him where he was. The mere fact that on every occasion the Irish never neglected to protest their loyalty to him only made matters worse for him. To Pym and his friends nothing could have happened more opportunely than that the Irish should have thrown down the gauntlet to England in this fashion. They would be made to suffer for their folly; but they would not suffer alone. Nothing was known of Charles's intrigues to get the government of Ireland into his own hands, but a good deal was suspected, and the Rebellion had cast a shadow over his cause. The opportunity to damage him irretrievably in the eyes of his English subjects was one not to be neglected. The more mud that was thrown at the Irish the more chance there was that some of it would stick to him. The more atrocities the Irish were guilty of, or said to be guilty of, the greater would be his responsibility. It was a cleverly conceived plan, but when it is recognised to be such it helps us to understand why a campaign of slander against the Irish was immediately set on foot in England.

Taking this view of the Irish Rebellion it is more important as bearing on the causes of the Cromwellian Settlement, to follow the course of events in England than in Ireland, especially as this is a side of the subject generally neglected by Irish historians. Intelligence of the Rebellion first reached the English Parliament on Monday, 1 November.[1] The news made a deep impression on it, and next day at Pym's suggestion a joint Committee of both Houses, consisting of 26 Lords and 52 Commoners was appointed to consider of the affairs of Ireland, and another of 12 Lords and 24 Commoners to negotiate a loan of £50,000 from the City of London. On Wednesday it was reported that the City of London did not at the time see its way to provide the loan asked for; whereupon it was resolved (the Lords concurring with the Commons) that £20,000 should be voted for the present occasions of Ireland, and £11,000, out of the money in hand, be immediately paid over to the Lord Lieutenant; further that 6000 foot and 2000 horse should be forthwith raised and a drum beaten for the calling in of volunteers.[2] These proceedings were followed up on 9 November by a joint Order of both Houses for the appointment of a Council of War, consisting of twelve members to be assistant to the General Committee.[3] Two days later letters from the Lords Justices were read, calling attention to the spread of the Rebellion and the instant necessity there was of providing 10,000 men and £100,000. For a time all business except that of Ireland was at a standstill. It was determined that the 6000 foot already voted should be increased to 10,000 and 2000 horse, a fresh attempt be made to induce the City of London to provide the money so urgently wanted, and an offer of the Scots to assist in suppressing the Rebellion be accepted, provided the force sent by them was subject to the control of Parliament.[4] The answer of the City was again unsatisfactory, and on 12 November the House of Commons, having resolved itself into a Grand Committee, voted that steps should be taken to raise £200,000 to provide for the suppression of the Rebellion, the security of England, and the payment of debts. To this and other proposals affecting the despatch of troops the House of Lords agreed next day.[5] At the same time a joint message was sent to the King in Scotland, explaining that the refusal of the City to provide a loan was due to a sense of insecurity, arising from the policy pursued by him in favouring the English Recusants.[1]

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[1] As to the alleged massacre every student of Irish history must decide the matter for himself. His decision will depend on the degree of credibility he is inclined to concede to the Depositions relating to that event, preserved in Trinity College, Dublin, Library. My own view I have long ago set forth in *The English Historical Review*, i, pp. 740-744; ii, pp. 338-340, and I see no reason to recede from it. But the matter will never be satisfactorily settled until these Depositions are published in their entirety. Selections like those published by Miss Hickson in her *Ireland in the Seventeenth Century*, especially when unprovided with an Index, are useless and misleading. The only method of arriving at a satisfactory conclusion is that pursued by Dr T. Fitzpatrick in his book, *The Bloody Bridge*; but such an inquiry as that instituted by him in some half-a-dozen cases, would require a lifetime when applied to the whole of Ireland. Incidentally, it should be added, the Depositions throw much valuable sidelight on the social condition of Ireland in the seventeenth century, which alone would justify their publication.

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[1] Letter of the Lords Justices and Council to the Lord Lieutenant, 25 Oct., in *Nalson*, ii, pp. 514-518.

[2] *Journals, H. of Commons*, ii, p. 304; also in *Nalson*, ii, p. 600.

[3] *Nalson*, pp. 614, 622.

[4] *Ib.* pp. 624-626.

[5] *Lords' Journals*, iv, p. 437.

The suspicion that Charles, despite the anxiety displayed by him to suppress the Rebellion, was not wholly blameless for what had happened, and that his conduct was likely to produce similar consequences in England, found covert expression in an Order passed by the House of Commons on 30 November for drawing up a Declaration to clear his Majesty from the false reports cast upon him by the rebels in Ireland, and stipulating that no conclusion of the war should be agreed to, that tended to the prejudice of England. The Order was emphasised by a Petition, delivered to the King next day at Hampton Court, begging him to concur with Parliament in its desire to preserve the peace and safety of the kingdom from the malicious designs of the Popish party, and to forbear alienating any of the forfeited lands, which should accrue to the Crown by reason of the Rebellion, in order that some satisfaction might be made to his subjects of England for the great expenses they were likely to undergo in its suppression. The Declaration and Petition were followed up on 8 December by a request from the Commons to the Lords that the latter would join with them in desiring his Majesty to declare that a toleration of religion should not be granted to the Irish rebels.[2]

The intention of these measures to prevent the King from coming to terms with the Irish is no less apparent than the determination of the House of Commons to make the Rebellion the excuse for a fresh plantation. The latter point is one of considerable importance, for it is generally taken for granted, and has been confidently asserted [3] to be a fact that the confiscation of lands in Ireland, or in other words the Cromwellian Settlement was the retribution meted out to the Irish by the English Parliament for their massacre of thousands of English Protestants,[4] as evidenced and proved by the Depositions relating to that event preserved in the Library of Trinity College, Dublin. Now quite apart from the fact that the first commission appointed by the Irish Government, to take cognisance of what robberies, spoils and sequestrations had been committed by the Irish at the beginning of the Rebellion was only issued on 23 December, and the second, to take account of any murders committed, only on 18 January 1642, it is perfectly clear that from the very first a confiscation of lands in Ireland had been regarded by the English Parliament as the natural consequence of the Rebellion. Indeed it would have been strange had it not been so. Rebellion was always followed by confiscation, and, so far as Ireland is concerned, it must be remembered that, quite apart from a certain class ever on the outlook for plunder, the belief in the policy of plantation as pursued by James and advocated by Strafford,[1] as a means of solving the Irish difficulty, was still and for a long time to come the guiding principle of English statesmanship. But any doubt that the Rebellion and not the "Massacre" was the cause of the Cromwellian Settlement is set at rest by a letter from the Lords Justices and Council to the Lord Lieutenant dated 14 December 1641.[2]

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[1] *Nalson*, ii, p. 644.

[2] *Ib.* pp. 689, 693-694, 723.

[3] See Miss Hickson in *Eng. Hist. Review*, ii, p. 137.

[4] Indeed it must be said, and without impugning the integrity of men like Cromwell and Fleetwood, who really believed in the "Massacre," that much of the talk about the "Massacre" and divine retribution is merely pious bunkum. In the mouths of such men as Sir William Parsons, Dr Henry Jones and Sir

After commenting on the "defection" of the gentry of the Pale the letter proceeds: "their discovering of themselves now will render advantage to his Majesty and this State, who otherwise perhaps might suffer while they held underhand correspondence with them,[3] which now we see might turn to the extreme prejudice of this State and Government; and those great counties of Leinster, Ulster and the Pale, now lie the more open to his Majesty's free disposal, and to a general settlement of peace and religion by introducing of English." Here then we are at the very heart of the matter.

John Temple it was something much worse. It should be noted that the first information received by the English House of Commons as to any horrid cruelties practised by the Irish on the English was contained in a letter from one Partington to Sir John Clotworthy, read on 14 Dec. Cf. *Nalson*, ii, p. 740.

[1] It should be remembered that the English Parliament was just as strongly opposed as was Strafford to the concession of the "Graces." See *Nalson*, ii, pp. 417, 421.

[2] Printed in Carte, *Life of Ormond*, i, pp. 260-261. Carte draws attention to the significant fact that this letter does not bear the signatures of Ormond, Roscommon and Lambart, though another of the same date does. The inference is that it was written without their knowledge.

[3] *I.e.* the Ulster rebels.

The "defection" of the gentry of the Pale was to be the pretext for the confiscation of the rich lands of Leinster. Ulster was thrown in as a mere make-weight, for until the "defection" of the Scots there were no lands in Ulster worth confiscating. Connaught and Munster were not mentioned because there was so far no sign of rebellion in either of those provinces. It is impossible not to read between the lines of their letter the satisfaction of the Lords Justices at the prospect before them. The defection of the gentry of the Pale was a small matter; their rebellion would be easily suppressed and then—the reward.

Meanwhile the delay in sending troops and money to Ireland was a source of concern to others beside the Irish Government. On 21 December a Petition was presented to the House of Commons by divers Lords and gentlemen of Ireland then in London, begging Parliament to accept the offer of the Scots to provide 10,000 men to suppress the rebels in Ulster. For itself the House of Commons was ready enough to grant their request, which indeed had originated with itself; but the House of Lords would not hear of a Scottish army without an English one to balance it. Days passed away in fruitless wranglings over the subject. On Christmas Eve a fresh Petition by certain London merchants was presented to the House of Commons, protesting against the long and unseasonable delay in sending relief to Ireland.[1] A week later the Commons succeeded in raising a loan of £30,000 at 8%, on the security of a Money Bill for £400,000, from the Merchant Adventurers; but they refused to let the money out of their hands until the question of the Scots' assistance had been settled one way or another.[2] Matters thus continued at a deadlock till the middle of January 1642, when a compromise was arranged between the two Houses. The Lords agreed to go surety with the Commons in an Ordinance securing the Merchant Adventurers for a loan of £50,000, and a few days later a joint effort was made, but without success, to induce the City of London to advance £100,000.[3]

In the meantime, owing to the attack on the Five Members (4 January) the relations between the King and Parliament had become strained almost to breaking point, and the question of the Irish Rebellion was rapidly becoming merged as a mere factor in the general quarrel between Charles and the Parliament. Before, however, this point had been quite reached, a deputation consisting of divers "worthy and well-affected" citizens of London approached the House of Commons on 11 February with certain proposals "for the speedy and effectual reducing of Ireland." There were, they said, many million acres of profitable land in Ireland liable to confiscation by the Rebellion.[1] If two and a half million acres of these lands, to be taken in equal quantities out of the four provinces, were assigned subscribers as security there would be no difficulty in raising £1,000,000 for the suppression of the rebels. The scheme commended itself to the House of Commons, and being drawn up in the form of a Bill and agreed to by both Houses, it received the King's assent on 24 February.[2]

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[1] *Nalson*, ii, pp. 769, 772, 777; *Lords' Journals*, iv, pp. 484, 488.

[2] *Nalson*, ii, p. 799.

[3] *Lords' Journals*, iv, pp. 517, 520, 537.

According to the terms of the Act [3] subscriptions were to be taken at the following rates—viz. for 1000 acres in Ulster £200, in Connaught £300, in Munster £450, in Leinster £600, not including bogs, woods and waste lands, which were to be thrown in without payment. The lands were to be assigned by lot as soon as Parliament declared the Rebellion at an end, and were to be held in common socage at an annual rent to the Crown of one penny in Ulster, three halfpence in Connaught, twopence farthing in Munster, and threepence in Leinster per acre. Subscriptions were to be received for London and places within twenty miles of it up to 20 March, for places within sixty miles up to 1 April, and for the rest of the kingdom up to 1 May; and each subscriber was required to pay down the twentieth part of his subscription at the time of subscribing, to be forfeited by him if he did not proceed with his undertaking. The money subscribed was to be paid to a committee, consisting of Aldermen John Towse, John Warner, Thomas

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[1] One is constrained to ask how they arrived at this conclusion.

[2] *Lords' Journals*, iv, p. 607; *Rushworth*, iv, p. 557, intimating the King's assent, which followed formally on 19 March. In giving the consent he could not withhold, Charles is said (Burton, *Parl. Diary*, 3 Dec. 1656) to have sarcastically remarked that Parliament was carving the lion's skin before it was dead. For the rest he tried to disclaim all responsibility by saying that he relied on the wisdom of Parliament, without taking time to consider whether the measure adopted might not serve to retard the reduction of Ireland by exasperating the rebels. *Rushworth*, iv, p. 557.

[3] 16 Chas. I, c. 33.

Andrews and Lawrence Halstead, or their agents[1] and receipts given by them for the same.

Between 8 March and 9 April nearly £60,000 were subscribed in the House of Commons alone; but the scheme did not prove so popular as had been expected.[2] Money came in so slowly that before a month or two had elapsed not only had the time of subscription to be prolonged, and a rebate of 8% offered to those who paid their money promptly, but the privilege of participating in the undertaking had to be extended to corporations and Dutch Protestants, and Irish measure substituted for English, whereby 21 feet instead of 16½ were to be reckoned to the perch.[3] By the terms of the Act the money raised under it was to be devoted exclusively to the suppression of the Rebellion, and in April a joint committee of both Houses was, with the King's consent, appointed to administer the fund, and to supervise the measures thought fit to be taken to provide for the necessities of Ireland. But as day by day the quarrel between the King and Parliament grew more intense and both sides were driven to take stock of their resources the temptation to lay forcible hands on the Adventurers' fund became irresistible.

The first blood in the Civil War had already been shed at Manchester, when the House of Commons on 30 July passed a vote requiring the Treasurers of the fund to hand over £100,000 to a joint committee of the Lords and Commons, as a loan for the defence of the kingdom.[4] The intention no doubt was to repay the money; but the opportunity to do so never occurred.[5]

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[1] Appointed by a joint Order on 7 March, *Lords' Journal*, iv, p. 632.

[2] See figures in *Rushworth*, iv, pp. 564-565. The failure of the loan was ascribed by the Commons to Charles. See their Answer to the King's Message, 13 Aug., *ib.* iv, 776: "After both Houses of Parliament had found out a probable way to reduce the Kingdom of Ireland, by the Adventure of private men without any charge to the subject in general, and which they are very confident would have brought in a million of money, (had his Majesty continued in or near London) those malicious whisperers, that durst not hinder the passing of the Bill, which was so specious in itself and so generally approved, yet have by practice, by drawing his Majesty from his Parliament, by keeping him at this distance, and advising him to make war upon his people, so intimidated and discouraged the Adventurers, and others that would have adventured, that they have rendered that good Bill, in a manner, ineffectual."

[3] Scobell, *Acts and Ordinances*, i, pp. 31-34.

[4] *Rushworth*, iv, p. 578; *Commons' Journal*, ii, p. 698; *Lords' Journal*, v, p. 250.

[5] This seems quite certain, though in their Declaration of 16 June 1643 (*Rushworth*, v, p. 541) the Commons asserted that the money subscribed had been with a great overplus disposed of for the uses of Ireland. It all depends on what they meant by the phrase, "for the uses of Ireland."

Necessity, it is true, knows no law; but the step thus taken by the Parliament undoubtedly damaged public credit. During the twelve months following hardly a penny was paid into the Adventurers' Fund. So serious did matters become in this respect that in May 1643 Parliament approached the King with a Bill to enforce the payment by the Adventurers of the money subscribed by them. But the King would have nothing to say to the proposal until it was explained to him what had become of the money already paid, and security was given him that it would in future really be applied to the needs of Ireland and not against himself.[1]

Moved by these considerations, the House of Commons determined to revise the whole question of the Adventurers' subscriptions, and, in order to obviate the exception taken to the Treasurers appointed by the Act, it agreed to the election of a Committee of Adventurers, which was to have equal power with their own Committee in all matters concerning the management of the money raised for Ireland. Further, at the suggestion of the Adventurers that the subscriptions made did not engage a third part of the lands assigned them as security, it passed a resolution that an Ordinance should be drawn up assuring to those of the Adventurers, who should at once deposit a fourth part of their subscriptions, such an addition of lands as should double the proportions granted them by the Act, and extending the same favour, under these conditions to new subscribers.[2] A Bill in this sense was accordingly drawn up and agreed to by the Lords; but as the King refused his assent it was published on 14 July as an Ordinance of both Houses.

The "Doubling Ordinance," as it was called, no doubt stimulated subscription; but the situation both in England and Ireland was too uncertain to encourage investment in Irish securities, and money continued to flow in lamentably slowly.

In 1647, however, when the first Civil War had come to an end, and the surrender of Dublin by Ormond to the Parliament had opened up a prospect of more vigorous action in Ireland, the House of Commons, with the object of transporting thither a considerable part of the disbanded forces at as little cost to the taxpayer as possible, passed an Ordinance on 13 November, requiring the Adventurers to pay down a fourth part of the sum subscribed by them within a limited time, and closing the subscription list.[1]

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[1] *Rushworth*, v, p. 318.

[2] *Ib.* pp. 541-543, and see the Ordinance in Firth & Rait, *Acts and Ordinances*, i, p. 192.

Unfortunately the differences which at this time arose between the Commons and the army, followed by the outbreak of the Second Civil War prevented the immediate intervention proposed, and it was not until after the execution of Charles in 1649 and the acceptance by Cromwell of the command of the army in Ireland, that the long-desired opportunity of bringing matters with the Irish to a test occurred. Meanwhile, however, thanks to the vigorous action of Col. Michael Jones, whom Parliament, after the surrender of Dublin by Ormond, had appointed to command its forces in Ireland, the Rebellion had lost much of its formidable character, and when Cromwell landed at Dublin in August the war had practically entered on its last stage. When he left Ireland in May 1650 it was no longer a question of fighting battles, but of breaking down the resistance of isolated garrisons. Owing to the obstinate bravery of the Irish and the opposition offered by the Scots the work of complete reduction took longer than had at first been expected, and except for the capture of Waterford, Duncannon and Athlone affairs were pretty much in the same position on 1 July 1651 (the date at which the documents here printed begin) as they were when Cromwell handed over the sword to his son-in-law, Henry Ireton.

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[1] See the Ordinance amending that of 14 July 1643 in Firth & Rait, *Acts and Ordinances*, i, p. 1027.

INTRODUCTION TO DOCUMENTS

In laying these Documents before the reader it is only necessary to remark, by way of preface, that, on returning to England from Ireland, Cromwell had urged the desirableness, in order that Ireton might be able to devote himself entirely to military affairs, of making some provision for the civil government of the country. The result was the appointment of Edmund Ludlow, Miles Corbett, John Jones and John Weaver as Commissioners of the Parliament for the Affairs of Ireland. An abstract of the Instructions given to them on 4 October is printed as the first Document. The Commissioners Corbett, Jones and Weaver, together with Lady Ireton, sailed from Milford on Monday, 21 January 1651, leaving Ludlow to follow with his troop two days later. Landing at Duncannon on the 24th, they at once proceeded to meet Ireton at Waterford, where they were, rather to their surprise at his quick passage, joined the next day by Ludlow. After discussing the general position of affairs, and finding "the army in worse condition, and the enemy more daring" than they expected, they at once set about taking measures to put the government on a settled basis. Except casually the Documents preserved in the Record Office, Dublin, furnish no information of their proceedings at this time; but from other sources [1] we learn that they divided the country, so far as it was in their possession, into six [2] administrative districts, or precincts—viz. Dublin, Waterford, Cork, Clonmel, Kilkenny and Ulster. Over each of these precincts they appointed a military governor, and established in each a number of commissioners, called the Commissioners of Revenue, for the administration of justice and local affairs and the collection of taxes. From the names of these precincts it will be seen that, with the exception of some isolated places like Derry and Athlone, the authority of the Parliament was at the time restricted to that part of the country lying to the south-east of a line drawn between Belfast and Cork.

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[1] See Ludlow, *Memoirs*, Ed. Firth, i, pp. 259-262.

[2] Gradually increased to fifteen—viz. Dublin, Waterford, Cork, Clonmel, Kilkenny, Belfast, Wexford, Athy, Trim, Limerick, Athlone, Galway, Londonderry, Kerry, Belturbet; but finally fixed at twelve.

Following the example of the Irish, who still retained the provincial distribution of their forces adopted by them at the beginning of the war, the army of the Commonwealth was divided into sections, so that while the bulk of it, under Ireton, was concentrated about Limerick, there were considerable detachments with Coote about Athlone, with Venables in the neighbourhood of Belfast, and with Hewson at Dublin, besides such forces as were required to garrison the forts in their possession and to preserve order within the precincts. The arrangement of course led to a great dissipation of energy; but it was the only method possible in view of the tactics pursued by the Irish.

From Waterford the Commissioners went to Kilkenny, and thence to Dublin, where, after a visit (6 July-19 August) to Belfast, Coleraine and Derry for the purpose of settling the administration of those parts, they fixed their headquarters. By that time the plague, which seems to have equalled that of 1604 in its ravages, appeared to be somewhat abating, and they were full of confidence that with the surrender of Limerick, which was every day expected, the long war would at last come to an end. But as week after week passed away and they were compelled to face the possibility of Limerick holding out over the winter their hopes of a speedy settlement declined. From England, despite their repeated inquiries, they could obtain no information as to the terms Parliament might be willing to hold out to the Irish as an inducement for them to submit; the work of finding provisions for the support of the army taxed their resources to the utmost, while the vigorous attacks of the enemy during the autumn, extending at times almost to Dublin itself, hampered their operations. The news of the capitulation of Limerick on 27 October somewhat relieved the tension, but the joy with which the surrender was hailed was speedily damped by the illness and sudden death of Ireton.

The emergency had been provided for by Cromwell, and the appointment of Ludlow as temporary Commander-in-Chief of the army prevented any interruption in the prosecution of the war. There were still something like 30,000 Irish in arms, and the Commissioners were no longer so sanguine as they had at first been of their speedy reduction. For though, as a *point d'appui* to receive succour from abroad, the capture of Limerick was a terrible blow to the Irish, yet owing to the physical conformation of the country (which, by reason of its lakes and thickly scattered bogs, provided them with an almost endless line of natural forts), there was no saying how long they might be able to hold out. As yet there had been no sign on their part of a general inclination to submit; but from certain informal inquiries as to what terms they might expect from Parliament in case of surrender, it seemed as if the backbone of their resistance was gradually beginning to give way. With the object of hastening this process, and if possible of reducing the charge of maintaining the army at its existing strength of 35,000 men, the Commissioners in December had a meeting with the general and field officers at Kilkenny, when certain proposals or suggestions in this direction were adopted for presentation to Parliament. The intention of these proceedings was not lost on the Irish. The hopelessness of the contest they were waging was every day becoming clearer to their leaders, but they were by no means at the end of their resources, and it was hoped that by presenting a determined front and by insisting on treating for a general surrender, to which the presence of the Marquis of Clanricarde, as representing the authority of the Crown amongst them, seemed to entitle them, they might secure better terms for the nation than by waiting till each separate commando was crushed in turn.

As remarked, some overtures in this direction had already been made, when the plan of the Confederates was crossed by one of their most active officers, Col. John Fitzpatrick, who, in the hope of securing favourable terms for himself, suddenly offered to surrender with his entire division. Fitzpatrick's offer came as a godsend to the Commissioners, who at once detected in it the opportunity they had long been waiting for of sowing dissension amongst the Irish. Little difficulty was made in agreeing to his proposals, and in even conceding his demand that the personal conditions of his surrender should be kept a secret. But the terms were guessed at, and the result was what the Commissioners had anticipated. The news of Fitzpatrick's surrender was received with an outcry of indignation by his countrymen. He himself was denounced as a traitor and excommunicated by the Church. Letters were written to the Catholic courts of Europe warning them to have nothing to do with him. His men were shot down wherever they could be met with, and there is little doubt that but for the protection afforded him by Government he would have shared their fate. Meanwhile the Commissioners were taking measures, according to the terms of the treaty, to transport his men into Spain, and were still engaged in the business when they received news of the surrender of Galway, the last place of importance in the possession of the Irish, on 11 April 1652. The terms of the capitulation, based on the original offers made by Ireton, were arranged by Sir Charles Coote, but as they would not merely have secured the townsmen in the possession of their estates, but probably have excepted two-thirds of the lands in Connaught from confiscation the Commissioners refused to sanction them without first of all having submitted them to Parliament. Notice to this effect was at once sent to Sir C. Coote, but by the time he received it the town had already surrendered. The Commissioners were in an awkward position ; for, while they professed to believe that Coote had acted to the best of his discretion in his desire to bring the war to an end, they could not, after the rejection of the terms offered by Ireton, agree to anything short of absolute submission. Their refusal to confirm the Articles, agreed to in their behalf by Coote, renders them of course liable to a charge of a breach of faith of the same sort as was at a later time preferred against the Irish Parliament for its refusal to ratify the Articles of Limerick agreed to by William III. And indeed, while admitting that they endeavoured, to the best of their ability, to restore the *status quo ante* the surrender, it cannot be denied that, by accepting the benefit of Sir Charles Coote's mistake, their conduct has the appearance of taking an unfair advantage over the Irish—a view not likely to be weakened by the strained construction which was eventually put by Government on the Articles themselves. Moreover, it is difficult to understand how a treaty concluded on 5 April should only have come to their knowledge six days later. Anyhow the business was sadly bungled, and for a long time afterwards the Articles were a source of annoyance to all parties concerned in them.

The effect of Fitzpatrick's defection, followed so closely by the capitulation of Galway, was to strengthen the movement in favour of a general surrender, and fresh overtures in this direction having reached the Commissioners they again repaired about the middle of April 1652 to Kilkenny to confer with the chief officers of the army as to the conditions which should be granted the Irish. It was then for the first time, according to their own admission, that they became acquainted through the report of their Scoutmaster-General, Dr Henry Jones, who had been one of the Commissioners appointed by the Irish Government at the beginning of the Rebellion to collect evidence as to what robberies and murders had been committed by the Irish on the English and Protestant settlers, of the horrible brutalities and murders in cold blood alleged to have been perpetrated by them. Jones' report, we may well believe them, filled the Commissioners with intense indignation and a strong desire to revenge the wrongs done their countrymen. But the historian of the period may allow himself to ask how it came to pass that men in the responsible position occupied by them should have been ignorant of events, which, if they ever occurred, must have been the topic of conversation in every household in England, and why, if the memory of them had passed out of general recollection, the present moment should have been seized to revive it? That these precious evidences of a nation's guilt should have been allowed to remain in the possession of a private individual is not calculated to increase our respect for them, but on the main point of making them public at this time the reason is not far to seek. The Irish were rapidly reaching the limit of their powers of resistance and Parliament would shortly be in a position to arrange for the future settlement of the country. In the opinion of men like Jones it was essential that no feeling of commiseration, such as the Commissioners admitted they were exposed to, should interfere to spoil that settlement. It is needless to say that having hit on the psychological moment Jones' plan worked to admiration. For a long time afterwards hardly a letter left Ireland without containing some reflexion on the blood-guiltiness of the nation and the necessity there was of propitiating the Divine wrath for the innocent blood spilt, by bringing the authors of the massacres to justice.

In the circumstances, then, it is not to be wondered at if the terms agreed to be offered to the Irish in arms, as a condition of their being received to mercy, should have been reduced to a minimum. Not only were those who had taken part in the massacres absolutely excluded from all hope of pardon, but for those, whose sole offence had consisted in taking up arms in defence of their civil and religious liberties, their only choice lay between unqualified submission to the Commonwealth or transportation to a foreign country. The conditions were harder than the Irish had been led to expect, and many of those who in May had agreed to submit on the terms of what was called the Treaty of Kilkenny, broke away from their engagement, preferring to try once more the fortune of war.

The result was disappointing to the Commissioners, who had expected a general surrender of the Leinster forces. But a week or two later Ludlow succeeded in capturing Ross Castle in Kerry and forcing the surrender of the main body of the Munster enemy under Lord Muskerry. During the summer one commander after another capitulated on condition of being allowed to transport his men abroad to Spain or any other country in amity with the Commonwealth. By the end of July the Commissioners were able to report that, except for a few scattered forces in Ulster and Kerry, which were restrained from submitting by a consciousness of having incurred the penalty of murder, the bulk of the enemy had surrendered.

As the country became more settled the Commissioners expressed their opinion that the time had come to institute a full inquiry into the blood-guiltiness of the nation. How necessary such an inquiry was, in order to appease the wrath of God against the shedders of innocent blood, was evident, they declared, from a fresh outbreak of the plague; and as a first step of atonement they ordered Dr Henry Jones to proceed to Kilkenny and Tipperary to collect evidence as to the murders committed in those counties. They had long been petitioning Parliament to come to some decision as to the fate of the nation. But when the answer to their request came in the shape of the Act for the Settlement of Ireland, which became law on 12 August, they could not conceal their uneasiness at its severity, and fearing that, if it came suddenly to the knowledge of the Irish, it would not only prevent the surrenders in progress but lead to a fresh insurrection, they issued strict orders to the Governors of the Precincts to keep a sharp outlook, in order to suppress any suspicious movements before they had time to become dangerous. And indeed it must be confessed that, though their fears proved groundless, there was every reason for redoubled vigilance. For, seldom in the history of any country has the hand of the conqueror been felt with greater severity than it was by the Irish at this time.[1]

By the Act for the Settlement of Ireland not one single person, of whatever nationality he was—Irish, Scottish or English—was exempted from the consequences of participation in the Rebellion, either by having to lose his life or his property, partially or altogether, unless he could prove that he had been constantly faithful to the Interest of England as represented by Parliament, or, by subsequent explanations could plead some special act of favour in his behalf. How utterly impossible it was for nearly anyone to comply with this monstrous demand was shortly to appear. Indeed it may be said that the only persons who had nothing to fear from the operation of the Act were those who had nothing to lose, and who, just because they had nothing to lose, had in all probability been more concerned than any other class in the acts of plunder and brutality that had marked the Rebellion in its earliest phase. Those who suffered most severely were the Anglo-Irish gentry in Leinster and Munster, of whom it will hardly be asserted that as a class they had any hand in the massacres perpetrated. More than half the land confiscated was their property. This fact alone is sufficient to disprove the theory that the Cromwellian Settlement was the just retribution taken by the English Parliament for the massacres committed or said to have been committed on unoffending Protestant settlers. What the English Parliament had in view was not, as is so often asserted, the avenging of innocent blood, but the rooting out of

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[1] Gardiner in his "Transplantation to Connaught" (*Eng. Hist. Rev.*, Oct. 1899), has carefully considered the terms of the Act, and calculates that at least 80,000 persons were by it "handed over to death." Of course there was no attempt to carry out any such judicial massacre. This Gardiner admits, but he is at some loss to account for what happened. "What," he asks, "was to be the fate of the thousands who had been pronounced worthy of death by law? Were they to be let off scot free, or were they to be transplanted?" I think the capitulations printed in these volumes throw some light on this point. By these capitulations the Irish were offered the alternative of transporting themselves abroad or of remaining in Ireland on condition of recognising the government of the Commonwealth. Only those who had a share in any murder were excepted, and even these were not to be hanged out of hand. They were legally tried before the High Court of Justice; then, if found guilty, they were executed; if innocent, they were offered the alternative mentioned. The alternative of transplantation suggested by Gardiner had not then been proposed and can consequently have no bearing on the explanation of the Act.

Roman Catholicism in Ireland. This end could only be achieved by confiscating the soil of Ireland and the plantation of it with English Protestants. Whether, in view of her own exposed position, England was justified in the step she took to secure her own safety is a question which hardly admits of discussion; but by excepting the ploughman, husbandman, labourer and artificer from the penalties of the Act she assured her own failure. Nothing but the complete rooting out of the Irish could have guaranteed success, and for such a step the physical as well as the moral conditions were wanting. Severe as was the Act for the Settlement of Ireland it was only a half measure, and as such was doomed to failure.

The anticipation of the Commissioners that a fresh rising would follow its proclamation had not been realised; but the fear of disturbances urged them to take prompt measures for the transportation abroad of such of the Irish as had laid down arms, and by the middle of October they were able to report that 7000 men had left the country. Their endeavours in this respect were energetically supported by Fleetwood, who arrived in Ireland as Commander-in-Chief on 11 September, and at his request the Commissioners, who had withdrawn from Dublin to Drogheda on account of the plague, proceeded to join him at Kilkenny. In October there was a general meeting of officers there, and, in view of the urgent necessity there was of reducing expenses, a resolution was passed representing the desirableness of setting out lands to the soldiers, whose services it was thought might be dispensed with, in satisfaction of the arrears of pay owing them, without waiting till the lands to be assigned the Adventurers had been formally measured. Meanwhile the business of transporting the Irish who had submitted was being pressed on as quickly as possible, and by January 1653 nearly 13,000 soldiers had quitted the country. But the difficulty of finding the necessary shipping, owing to the backwardness of the Spanish Government in recouping the expenses of the transportation and the injury thereby inflicted on the shipowners, together with rumours, which could not altogether be kept secret from the Irish, of the ill-treatment they were likely to experience in Spain, greatly hindered the endeavours of the Commissioners in this respect, and indeed it was not until the spring of 1654 that the last detachment left the country.

Concurrently with the transportation a rigorous inquiry was being instituted by a High Court of Justice, appointed expressly for that purpose, into the alleged massacres committed by the Irish in the course of the Rebellion, and by the end of January 1653, fifty-two persons had been executed for participation in them. But, considering the lax interpretation placed by the judges on what constituted murder and the hard swearing of many of the witnesses examined, the result can hardly have proved satisfactory to those who had so strongly insisted on the universal blood-guiltiness of the nation. On the contrary, if anything was wanted to prove the baselessness of the charge of a general massacre of Protestants, the paucity of the numbers convicted compared with those charged was of itself sufficient for the purpose. Even in the case of that monster of iniquity, as he was depicted, Sir Phelim O'Neill, of whose capture the Commissioners received notice on 4 February 1653, only one case of murder could with any show of reason be proved against him, and there is little doubt that he might have saved his life had he been willing to perjure himself, by admitting the genuineness of the Commission he was said to have received from Charles I authorising his rebellion. Anyhow, it is certain that after the Court of Justice had concluded its inquiries the question of the blood-guiltiness of the nation slipped into the background.

Almost as obnoxious to the Government as the Irish themselves were the Scottish settlers in Ulster. Like their brethren in Scotland, the Ulster Scots were by no means satisfied at the course things were taking in England since the abolition of the monarchy and the increasing predominance of the Independents both in Church and State. Early in March 1653 information was received by the Commissioners from the Council of State of the discovery of a dangerous correspondence between the Scots in Ulster and their countrymen in Scotland, which they were required to investigate and to put a stop to. The matter was referred to the Commissioners for the settlement of Ulster at Belfast, and at their suggestion it was determined to transplant [1] the Scottish settlers in the counties of Down and Antrim, or at any rate the "popular Scots" of the district into some other part of the country where, by being mixed with the English, they would be less capable of mischief. The counties of Kilkenny, Tipperary and Waterford were deemed the most suitable places whither they should remove, and some steps had been taken to put the plan in execution when the professed willingness of the Scots to give security for their peaceable behaviour and the difficulty at the time, owing to the disturbed state of the country, of carrying it out led to its being laid aside. But that it was not intended to abandon it is evident from the Instructions given the Lord Deputy and Council on 27 March 1656.

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[1] It should be noted that the plan of transplantation afterwards carried out in regard to the Irish originated in this proposal for a transplantation of the Ulster Scots.

Meanwhile the Irish were leaving the country in shoals. By the middle of July it was reported that 20,000 had already transported themselves abroad and that 7000 more were ready to follow their example as soon as shipping for the purpose could be found. Their departure enabled the Commissioners to devote their attention to the great and pressing question of a reduction of the army,[1] but their efforts in this respect were greatly impeded by the sudden dissolution of the Long Parliament, of which they received news towards the end of April, before it had come to any conclusion regarding the Bill under its consideration for giving satisfaction to the soldiers and Adventurers. Still, though it was impossible on their own authority to proceed to a final settlement, there appeared no reason why, in view of the pressing necessity there was of diminishing expenses, a temporary settlement of those officers and soldiers it was proposed to disband, should not be attempted. On 9 June a general Council of officers at Dublin decided that, as regarded those officers and soldiers to be disbanded, their arrears for service both in England and in Ireland should be stated up to the time of their disbandment, and that they should be put in immediate possession of lands sufficient by estimate to satisfy those arrears, to be enjoyed by them provisionally, or as it was termed *de bene esse*, until a new Parliament had decided on some definite plan. Steps had already been taken to put the decision of the army council in execution, when a Commission and Instructions bearing date 22 June reached the Commissioners. There is no copy of this Commission among the Commonwealth Records, but the terms of it may be gathered from a letter of the Commissioners to the Little or Barebones' Parliament on 22 July. From this letter it appears that the course proposed to be followed in England differed considerably from the plan adopted by the Council of officers, and that, instead of beginning the disbandment with those soldiers who had served longest, it was intended to restrict the satisfaction of arrears in the first place to such as had been incurred since June 1649, *i.e.* to the soldiers that composed Cromwell's army with subsequent reinforcements. The injustice of this proceeding was apparent. Fortunately the arrangements for a disbandment [1] on the plan adopted by the army Council were too far advanced to be altered, and all that could be done was to introduce a clause in the Act for Satisfaction, passed by the Little Parliament on 26 September, for its confirmation.

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[1] The subject had been exercising their minds ever since December 1652, but, as they explained, they were unable to take any definite step till Parliament had decided how the soldiers and Adventurers were to be satisfied. (See pp. 300, 306, 313, 336.)

Hardly, however, had this matter been settled when a fresh difficulty arose owing to the fact that had come to light, while estimating the lands necessary to answer the arrears of the disbanded regiments, that the lands at the disposal of Government would, according to the rates set down in the Act of 1642, prove insufficient to answer the debt on them. From a rough estimate drawn up by the Commissioners it appeared that the debt owing to the army, including certain public-faith debts, amounted to £1,750,000. To meet this debt there were forfeited lands to the amount of 1,727,500 acres; but, according to the rates laid down in the Act, these would be merely sufficient to satisfy £802,500, leaving the balance of £947,500 unanswered. The matter was referred to a general Council of officers at Dublin on 21 and 22 November, when it was agreed that the rates should be revised and settled proportionably to the intrinsic goodness of the soil in each of the forfeited counties, as, *e.g.* in County Cork at £800, in County Kilkenny at £1100, in County Longford at £900 per thousand acres and so on. In this way not only would the total amount of lands appointed to answer the debt on them be considerably augmented, but a more equitable division of the lands themselves among the different regiments be achieved. This matter having been satisfactorily arranged a number of commissions were issued on 10 January 1654, authorising the assignation of lands to the disbanded regiments in the four provinces to the amount of rather more than half-a-million acres in discharge of £282,209 of debt.

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[1] The disbandment itself began on 8 August.

Simultaneously almost with the Commission of 27 June came a set of Additional Instructions to the Commissioners explaining how "for the better security of those parts of Ireland which are now intended to be planted with English and Protestants," Irish proprietors who, by any of the Qualifications in the Act of Settlement, were entitled to retain any portion of their estates, were to be provided for in the Province of Connaught, provided they removed thither before 1 May 1654. These Instructions, in which the transplantation of the Irish was first broached, are dated 2 July 1653. On 4 July Cromwell handed over his power to the Little Parliament. Commenting on this fact, Gardiner remarks, in his "Transplantation to Connaught," that though in other respects Cromwell had shown himself unwilling to anticipate the decisions of that strange body to which he was about to confide the destinies of England, in legislating for Ireland he showed an almost unseemly haste to lay down the rules under which that country was to be dealt with. The policy of transplantation then, though involved in the confiscation of the land of Ireland by the Long Parliament, originated with Cromwell himself, and it is for this reason that we are justified in speaking of the settlement arrived at on the basis of these Instructions as the Cromwellian Settlement.

The Instructions reached the Commissioners before the middle of July, for on the 15th they published a Declaration requiring all persons, who possessed any right or title to lands in Ireland on 23 October 1641, to put in a statement of their claims in writing for their inspection. Naturally, only such persons were meant as were not excluded from pardon for life and estate by falling under any of the first five Qualifications of the Act of Settlement. This of course was a necessary step not only to determining what provision would have to be made for them by way of compensation in Connaught or Clare but also to clearing the lands in the other three provinces for the reception of the soldiers and Adventurers. This step they followed up by another on 1 August for the appointment of a Standing Committee to consider the whole question of transplantation. Among other things on which the Committee were required to advise was as to whether the transplantation was to include all Irish Papists or only the landed and popular men. A matter troubling the Commissioners at this point was the construction they were to place on the Articles of Galway, for, as they pointed out, if the Articles were confirmed two-thirds of the lands in Connaught would be lost for transplantation purposes. Their inquiry on this point was soon to be answered by implication if not directly.

On 26 September the Act for giving speedy satisfaction to the soldiers and Adventurers passed the Little Parliament. Its provisions were little more than an amplification of the Instructions of 2 July. The ten counties of Waterford, Limerick, Tipperary, Queen's and King's counties, Meath, Westmeath, Armagh, Down and Antrim, with County Louth thrown in as additional security, were assigned to answer the claims of the Adventurers and the arrears of the army which since 5 June 1649 had been engaged in the subjugation of the country. Connaught and Clare, with the exception of a belt of land not more than four miles wide round the coast and along the line of the Shannon, were allotted to Irish proprietors, as an equivalent for such lands as they might succeed in saving in any part of the kingdom. The rest of Ireland (excluding Dublin, Carlow, Kildare, or the greater part of those counties and a moiety of County Cork, together with all walled towns and ecclesiastical lands which the State reserved for itself) was assigned to answer all other debts, including the arrears due to the army in England and Ireland prior to 5 June 1649, commonly called the "English" and "'49 arrears" respectively. A considerable number of these were, as already remarked, in process of being liquidated at the time the Act was passed on the basis of the plan approved of by the army Council on 9 June.

The Act for Satisfaction reached the Commissioners early in October, for on the 14th they published a Declaration based on its provisions and on the Instructions of 2 July. There is no copy of this Declaration among the Commonwealth Records, and indeed only one copy of it, preserved in the muniment room of Kilkenny Castle, is known to be in existence. As it is, however, easily accessible in the *Calendar of Ormond MSS.* in process of publication by the Historical MSS. Commissioners, and also in Gardiner's "Transplantation to Connaught" in the

English Historical Review, it has not been thought necessary to reprint it. But it is a document, like the Act for Satisfaction itself, of very great importance, and necessary to be consulted by the student of the period. Briefly, the Declaration explains how the Instructions of 2 July and the Act of 26 September were to be put in execution. But except as to landowners and tenants, it is as vague as the Instructions and the Act as to the scope of the transplantation. From the mention in it of another Declaration published on 12 September (of which I can find no copy) giving power to the Commissioners of Revenue to grant temporary dispensations to persons occupied in looking after and inning the crops of those proprietors who were to remove, it might be inferred that the transplantation was intended to extend to all Irish Papists of whatever rank or occupation, and this I think is the right interpretation to be placed on it; but where all is so vague it may be argued that only landowners and tenants were aimed at. Certainly the clearing of the land of its old proprietors for the reception of the soldiers and Adventurers was the main object the Commissioners had in view. The way for a settlement had been prepared, but before definitely entering on it the Commissioners, impressed evidently with the magnitude of the task laid upon them, appointed a day for solemnly seeking the Lord, "for in us is neither wisdom nor strength for such matters, neither do we know what to do herein, and we may truly say the children are now come to the birth and much is desired and expected, but there is no strength to bring forth."

The Act of Settlement had defined the qualifications which were to entitle to any retention of property. In order to determine these qualifications in individual cases, or in other words, to inquire into the behaviour of any claimant for lands during the Rebellion, a Commission was issued on 16 November for the establishment in each of the twelve precincts of a Court of Delinquency. The rules which were to guide the Commissioners are printed on pages 378-379. The results of the inquiry were not to be divulged but to be sent, close sealed up, to Government, to be used as evidence in determining the qualifications of each claimant when he put in his demand for a grant of lands in Connaught or Clare. The Commissioners were required to use all possible speed in despatching the business entrusted to them, but as late even as February 1656 no returns had been made from several precincts. Those for Athlone precinct alone survive.

Such was the general situation of affairs at the end of 1653, when the news of the sudden abdication of its powers by the Little Parliament arrived. There is nothing in these Documents bearing on the political cleavage into Cromwellians and Parliament-men that followed this event, but it is evident from an Order issued on 2 January 1654 appointing a day of national humiliation and prayer that the situation was regarded with anxiety. The establishment of the Protectorate did not, however, interfere with the work of transplantation. By the Instructions of 2 July, confirmed by the Act for Satisfaction, 1 May 1654 had been named as the last day when all who could hope for a favourable consideration of their claims were totransplant. That nothing might stand in their way, it had been provided that lands roughly estimated to correspond to their claims should be assigned to them pending a fuller inquiry into their qualifications. To meet the case a Commission was appointed on 6 January 1654 to sit at Loughrea to allot lands to transplanters on the strength of certificates granted them by the Commissioners of Revenue in the different precincts.[1] Among the Instructions given the Commissioners was one requiring them to scatter the transplanters as much as possible, and to assign lands to them as remote as they could from their original abodes ; thus, no transplanter from Kerry was to have lands allotted to him in County Clare, none from Donegal in either County Leitrim or County Sligo. As a guide to them in determining what lands were at their disposal abstracts of the surveys taken by Strafford in 1638 were sent down to them.

Simultaneously with the preparations for the transplantation of the Irish arrangements were in progress for a settlement of the claims of the soldiers and Adventurers. By an Order of the Council of State on 1 June 1653 a Committee of Adventurers had been authorised to examine all claims by Adventurers for lands and to divide the ten counties set apart for their and the army's satisfaction into two equal parts by baronies. This having been done, Col. Hewson and Major Anthony Morgan were appointed by the Lord Protector on behalf of the army and Samuel Avery by the Adventurers on their behalf to draw lots to determine which baronies were to belong to the army, which to the Adventurers. The drawing took place at Grocers' Hall, London, on 24 January 1654, and the result of the division will be found on pages 405-406.[1]

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[1] Specimens of these certificates will be found in Prendergast, *Cromwellian Settlement*, App. ii, pp. 363-376. (See note, p. 475, below.) From the Explanations on the Instructions (pp. 407-409) it is clear that there were three classes of transplanters to be provided for, viz., proprietors, tenants and landless men. The first were to have lands assigned them corresponding in quality to those they had quitted ; the second were to be assigned lands as tenants of the State (for which they were to pay rent as well as other contributions) proportionate to the number and kind of cattle they brought with them, thus for each cow, ox or bullock three acres, for each horse four acres, etc. As for those persons who were to transplant but who claimed no interest in lands they were to be allowed to settle on any lands belonging to the State, provided they were not within ten miles of the Shannon or otherwise reserved.

The division into baronies had been based upon a hastily taken survey, afterwards known as the "gross survey," by the Commissioners of the Revenue in each precinct, by virtue of an Order of the Commissioners of Parliament on 11 July 1653, as authorised by a Commission and Instructions issued to them on 2 June. But the survey was in so many respects defective, especially as not distinguishing between profitable and unprofitable lands, that on 14 April 1654 a new survey was ordered to be taken by Benjamin Worsley, recently and for that purpose appointed Surveyor-General. Worsley was to admeasure all the forfeited lands in the ten counties assigned for the satisfaction of the soldiers and Adventurers, and to begin with the baronies that had fallen to the lot of the former. He apparently got to work in May; but, though not the charlatan Petty would have us to believe he was, the task imposed upon him was evidently beyond his power. Complaints were made of his slowness, and on 10 October it was referred to Sir C. Coote, Sir H. Waller and others to consider the matter and to suggest some plan for carrying on the work with greater expedition. Among those who looked askance at Worsley's proceedings was Dr William Petty. In his criticism of Worsley's methods Petty let it clearly be seen that he knew a better plan. His proposals for a survey, which was to embrace not only the ten counties but all the forfeited lands in the three provinces of Leinster,

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[1] As to the subsequent division by lot among the Adventurers themselves of their lands, the reader should consult *Cal. of State Papers*, Irel. (Adventurers), 1642-1659.

Ulster and Munster, were submitted to a special committee, and despite Worsley's opposition, in which he seems to have been supported by Coote, they were recommended for adoption. An agreement was drawn up between him and Worsley on behalf of the State on 11 December 1654, and early in the following year Petty, having bound himself to finish the survey in thirteen months, got to work.

As remarked, the time limited for transplanters, who wished to receive compensatory grants of lands in Connaught or Clare, to remove thither had been fixed for 1 May 1654. But the difficulty of their complying with this Order, evidenced by the flood of petitions that set in praying for dispensation on one pretext or another, induced the Commissioners on 27 March to grant them a month's extension of time. It was a small concession, and being limited to persons whose evidence as to the possession of land was required by Government, or who from illness could not be removed without danger to their lives, or who, as not having actively participated in the Rebellion or as having given proof of their renunciation of Popery were entitled to consideration, it cannot be held to have in any way prejudiced the general order for transplantation. There is no direct information in these documents as to what extent the Order for transplantation was obeyed; but in June we incidentally learn that "the necessary prosecuting of the law for transplanting the Irish into Connaught and Clare hath so discomposed and distracted the people" that the Revenue was suffering in consequence. An Order of 31 July commuting a sentence of death passed on one Peter Bath for not transplanting into one for transportation to Barbados may be taken as evidence that the Commissioners were in earnest in carrying the work of transplantation into execution. On the other hand, it is clear that they were greatly hampered by the numerous petitions for dispensation presented them. That many of these requests were of a reasonable character is apparent from the fact that on 19 May committees were appointed in the different precincts to consider them, and if necessary to grant a further extension of time, which, however, in no case was to exceed 1 May 1655. During the summer we hear much of persons crossing the Shannon, no doubt with the object of entering their claims with the Commissioners at Loughrea, and also very probably in many cases with a view to spying out the land. To those who went and showed an intention of removing thither Government offered every facility. Tolls were not exacted from them for their cattle and lands *de bene esse* were at once allotted them, for which they had to pay no rent until their claims had been decided. All the same, we can see that the transplantation was not progressing so quickly as was desired. People had to be stopped recrossing the Shannon without special licence, and in October a Committee was appointed to suggest some plan for the effectual and real prosecution of the work of transplantation.

Meanwhile, in consequence of the political revolution that had followed the dissolution of the Little Parliament and the transference of supreme power into the hands of Cromwell as Lord Protector, the system of government by Commissioners of Parliament had been abandoned in favour of the old form of government by a Lord Deputy and Council. There is, however, no evidence that the alteration of system indicated any change of policy. The Instructions given Fleetwood and the Council on 17 August are practically identical with those given their predecessors the Commissioners. Even as regards the power given to dispense, when they saw fit, with the Orders and Instructions for transplantation, especially as to the penalty of death for not transplanting, it seems clear from the case of Peter Bath already mentioned that the clause was added at the suggestion of the Commissioners. The necessity for some such clause [1] had been apparent almost from the first, but it was not intended thereby to modify the general scheme of transplantation as laid down by the Act and the Declaration of 14 October 1653 based on it.

The appointment of a Committee on 26 October 1654 to consider how the transplantation might be effectually carried out (already referred to) resulted in an Order on 30 November requiring all persons who were transplantable to Connaught to repair thither before 1 March 1655.[1] The Order itself, unfortunately, does not appear and it is consequently impossible to say precisely what the penalties attaching to a refusal to obey it were. But from subsequent references to it, and especially from a Commission, dated 19 March 1655, addressed to the Commander-in-Chief in each precinct, requiring him to enforce them it is apparent that, so far from mitigating former Orders, the one in question rather strengthened them by a threat of selling the live stock and crops of those proprietors and tenants who refused obedience. The evident intention of Government to carry out the transplantation according to the exact letter of the law was not lost on the Irish. The work which had hitherto rather hung fire now entered on an active stage. Indeed, with so much thoroughness was the work carried on that, in the case of the barony of Eliogarty in County Tipperary not a single "inhabitant of the Irish nation that knows the country" was to be found there by the middle of December—a fact which seems to confirm the opinion of those who hold that a general transplantation and not one confined merely to proprietors and tenants was being attempted.

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[1] Gardiner in his remarks on this subject, "Transplantation to Connaught," and in the parallel he draws between this Instruction and a rejected clause in the Act of 1653, which he (perhaps unnecessarily) ascribes to Vincent Gookin's influence, seems to me to confound two quite different matters, viz., dispensation from transplantation for a limited period at the discretion of the Commissioners of Transplantation and dispensation from transplantation altogether.

Meanwhile, the Commissioners at Loughrea were busily engaged in assigning lands temporarily, or as it was termed *de bene esse*, in Connaught to such Irish as appeared before them with certificates authenticated by the Commissioners of Precincts. In order to determine how far these claims were legally admissible, according to the Qualifications in the Act of Settlement, Government on 28 December appointed a body of Commissioners to hear and determine all claims on the part of the transplanters to compensatory grants of land in Connaught or Clare. From the fact of their sitting at Athlone they are commonly known as the Athlone Commissioners. In passing, it may be noted that this Commission is to be carefully distinguished from one appointed on 3 November to hear and determine all claims to forfeited lands in Ireland. This latter was called for in order to clear the lands intended to be allotted the soldiers and Adventurers of all legal encumbrances. From the Instructions given the Athlone Commissioners it appears that their business was first, to decide as to the qualifications of the transplanters to receive lands at all; secondly, to ascertain the size and value of the lands forfeited by the claimant, so that lands of proportionable size and goodness "and of the like estate of inheritance" might be assigned him in Connaught or Clare; and thirdly, to grant a decree entitling him to have such lands set out to him by the Commissioners at Loughrea.

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[1] This Order did not, however, so far as I can gather, supersede the discretionary power granted the Commissioners of Transplantation on 19 May 1654 to concede dispensations till 1 May 1655.

The result of the appointment of the Athlone Commissioners was that the Commissioners at Loughrea instead of being confined as hitherto to granting lands conditionally or *de bene esse* could now proceed to a final settlement. This fact rendered a revision of their Commission of 6 January 1654 necessary, and accordingly a new Commission, this time including Sir Charles Coote, was issued on 16 June 1655. The new Instructions accompanying it were of course framed to meet the new situation; but one clause in them was responsible for a piece of mismanagement that elicited a sharp reprimand from Government. For, instead of favouring as they ought to have done those transplanters who first obeyed the Order for removal, the Commissioners assigned them absolutely the worst land that could be hit upon in County Clare, where, as the saying went, there was not wood enough to hang a man, water enough to drown him, nor earth enough to bury him. Worse, however, than this was the practice which came to light and resulted in the dismissal of two of them, of some of the Commissioners granting lands to themselves and taking bribes from the transplanters for a favourable choice of lands. After several renewals the Commission terminated on 30 September 1657, the Commissioners having sat almost continuously for nearly four years. The date marks the end of the transplantation so far as it was ever carried out. The Commissioners at Athlone had of course ceased to sit some time previously.

In preparing for the reception of the transplanters in Connaught on the one hand and for the soldiers and Adventurers in the counties assigned for their satisfaction on the other, Government was greatly embarrassed in its action (1) by the want of definite instructions as to how the Articles of Galway, especially the fifth clause in them, involving the proprietorship of two-thirds of the land in the county, were to be interpreted; (2) by the terms granted the Kilkenny Submittees, as those Irish who had submitted on the Articles of Kilkenny in May 1652 were called; and (3) by the claims of the Protestant Delinquents to exceptional treatment. These three subjects are constantly recurring during the years 1654 and 1655. As they are points of considerable importance it will be well to consider them separately and in the order mentioned.

First, as regards the Articles of Galway nothing is more remarkable than the reluctance of the authorities in England, whether they were the Parliament and Council of State, or the Lord Protector and his Council, to commit themselves on the subject. In none of the Instructions sent to either the Commissioners of Parliament or the Lord Deputy is there one word as to how the Articles were to be interpreted. Of course it might be argued that the Instructions of 2 July 1653 and the Act for Satisfaction, by assigning Connaught for the reception of Irish transplanters had practically settled the question, and no doubt this solution of the difficulty would have been agreeable to the Irish Government; but, in view of the insistence of the townsmen of Galway on a strict observance of the Articles, it was felt to be impossible to take up this standpoint without at least some attempt at justification. The matter became more pressing when in November 1654 Sir Richard Blake presented a petition on behalf of the town praying for a ratification by Parliament of the Articles. Forced to take the subject up, Government appointed a day in July 1655 for a discussion of them. The decision arrived at was characteristic of the Commonwealth in its dealings with the Irish. The townsmen of Galway had asked for a parliamentary ratification of the Articles and particularly of the fifth Article, "whereby it was agreed that they should enjoy their estates and houses in Galway without any interruption, diminution, marks of distinction or removal of persons or families, and that they should enjoy two-third parts of their real estates, in three to be divided, in all other parts within this Dominion." Counsel for the Commonwealth pointed out that by the same article it was stipulated "that in case any of their said real estates shall happen to be contiguous to any considerable castle, fortification or streight within this Dominion, or conceived to be necessary for any particular plantation, that then such person or persons possessed of the same shall be satisfied and paid the full value of such castles and houses." Government had been shown the way out of its dilemma. The case provided for in the proviso to the fifth Article was held to have arisen. Galway was a place of strength and designed to be a plantation for persons of the English nation. All then that remained for the plaintiffs was to appoint agents to arrange terms with Government as to the price to be paid for their properties and to evacuate the town, as they were at once required to do by 1 November following. Nothing had been said in the Articles as to how the properties were to be valued. In its own dealings with the Irish Government, in order to drive a better bargain, always added "as they [houses or lands] were worth to be let in 1640." Galway men were left to get for their houses and lands what they were worth in 1654! Even then they had not drained the bitter cup to the dregs. By the same Article they had bound themselves to pay a fine of £5000 in lieu of the one-third of their possessions to be taken by the State. To their petition praying for a remission of this fine they were told that its payment was part of the contract. Government had performed its share of the bargain in buying up their properties: they must perform theirs. In the end Galway was given to Gloucester and Liverpool as compensation for their losses during the Civil War. Neither Gloucester nor Liverpool found it worth while to plant the town, and Galway, which before the Rebellion had vied with Dublin in wealth and population, sank to the level of a third-rate town. The policy of the Commonwealth ruined it irretrievably without accomplishing its object of making it a stronghold of Protestantism.

Secondly, as regards what were called the Kilkenny Submittees Government had hampered itself by a promise, in the Articles [1] concluded on 12 May 1652, to mediate effectually with Parliament that they might enjoy such moderate part of their estates, as might make the lives of those who remained in Ireland comfortable, or for the comfortable maintenance of the families of such of them as should go beyond seas. Government argued that the Submittees were bound by the Acts of Settlement and Satisfaction, and, as falling under the general rule for transplantation, were to receive what portion of their estates they were allowed to retain in Connaught. The Submittees protested against this construction being placed on the

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[1] See explanation of the Sixth Article, p. 202.

Article, and in the case of one of the most eminent of them, Sir Richard Barnewall, the Committee for Articles at Westminster decided that he was not to be transplanted. The Irish Government were extremely vexed at this decision, and lost no time in pointing out that if Barnewall's case was allowed they would be obliged to admit all others to enjoy their estates, "most Irishmen of estate being by articles to have the same conditions touching their estates," and consequently the satisfaction to the Adventurers and soldiers, and the transplanting of the Irish into Connaught would be delayed until a future Parliament made some new declaration. They suggested the appointment of a Committee in Ireland to determine Articles made in Ireland, and were permitted to have their way so far in this respect as to be allowed to appoint an advisory Board. But even then the case of the Kilkenny Submittees caused them much trouble. On 30 November the Submittees were allowed to appoint counsel to argue their case. But the result was a foregone conclusion. On 12 April 1655 the Commissioners at Loughrea were ordered to set out their respective proportions of land to them in Connaught, as by an Order of the Lord Deputy and Council of the 3rd inst. was directed.

Thirdly, as regards the claims of the Protestant Delinquents to exceptional treatment it is to be remarked that they were of two kinds, viz., (1) those of the Protestants of Munster who had submitted before 1 December 1649 but had not been active in the rendition of the garrisons of Cork, Youghal, Kinsale and other places, based on an Ordinance of the Lord Protector and Council of 27 June 1654[1]; and (2) those of the Protestants generally throughout Ireland based on an Ordinance of 2 September 1654. By the Ordinance of 27 June Protestants in Munster possessing real property to the yearly value of £400 as it was worth in 1638 or personal property to the value of £8000 were to be allowed to compound by paying such fines as should be imposed on them within twelve months after 27 June 1654. On 1 January 1655 the Council published a Declaration requiring these persons to present particulars of their estates so that the fines they had to pay might be fixed. No attention was paid by the Protestants to this Declaration, and in April the Lord Deputy and Council were authorised to fix the fines to be paid, which they did at the rate of two and a half years' value of their real estates and one-eighth of their personal property. The decision was announced in a Declaration on 11 May, with a warning that those Delinquents who neglected to conform with it by December would be excluded from the privilege of compounding. The Declaration was disregarded by the Protestants, not a single person having, as the Lord Deputy and Council wrote on 1 April 1656, "come in that proffered or made any composition at all." A fortnight or so later the Attorney-General was instructed to take steps for the sequestration of their estates until they paid the penalties imposed upon them, but as no trace of further proceedings is to be found it can only be conjectured that the passive resistance of the Munster Protestants was successful.[1] As for Protestants possessing real estate to the annual value of £50 and upwards, or personal property to the value of £500 anywhere in the kingdom, who by the Ordinance of 2 September 1654 were to compound by the payment, so far as their real estates were concerned, of not less than two years of their full value as they were worth in 1640, they showed themselves almost as remiss as the Munster Protestants in complying with the orders of Government. Few persons, and those chiefly Scots, the Lord Deputy and Council reported on 1 April 1656, had made their compositions or paid their fines. The Adventurers pressed for a confiscation of their estates on the ground of the clause in the Act of 17 Charles I. (1642) which rendered all patents and pardons granted to any rebel after 23 October 1641 null and void. But like the Munster Protestants they too seem finally to have escaped paying the penalty prescribed for their delinquency.

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[1] This Ordinance is more than once referred to in the Documents as of 1 August 1654 (pp. 473, 514, 586). No Ordinance of that date appears in Firth and Rait's *Acts and Ordinances*, and I can only explain the discrepancy by supposing that 1 August was the date of its publication in Ireland.

Before proceeding to review the general course of administration in these years there are one or two points, connected with the settlement of the country, on which the Documents throw some light, to which it may be well to refer.

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[1] A proposal (pp. 586-588), originating in England, to close the quarrel, by granting a general pardon to all Protestants in Leinster, Munster and Connaught (the omission of Ulster is characteristic of the ill-feeling against the Presbyterians) appears to have been resisted by the Irish Government; at any rate it seems never to have been carried out.

The first is the case of the "five counties," or "the counties between the Liffey and the Barrow," as they are alternately called, *i.e.*, Dublin, Kildare, Carlow, Wicklow and Wexford. Of these five counties the first three had by the Act for Satisfaction been reserved (together with the moiety of County Cork) by the State for itself in order to provide, out of the rents arising from the leases of lands granted in tenancy, a stable source of revenue for the future government of the country. Wicklow and Wexford on the other hand had been assigned as additional security to answer the arrears of the army. At some time or other, when precisely is not clear, though the plan may perhaps be traced to the Proposals of the Council of Officers for breaking the strength of the Irish [1] early in 1652, it was resolved to form these five counties into a sort of English Pale from which all Irish Catholics were to be rigorously excluded. In pursuance of this plan, a Declaration [2] was published on 17 July 1654, by the Commissioners of Parliament requiring all Irish Papists to transplant themselves out of the district under penalty of being treated as spies. But, as the time allowed them to make their preparations for removal drew to a close, a number of the old Protestant landlords in the district combined to petition Government to be allowed to retain so many of their servants and tenants as were necessary for the inning of their crops and the like. The petitions were referred on 9 March 1655 to a Committee consisting of Colonels Waller, Hewson, Sankey, Lawrence and Axtell to consider, and to advise "what part of those five counties are fit to be totally cleared of all Irish and Papists; what other parts thereof respectively may be tenanted by such Irish, as (not being proprietors nor men that have been in arms) shall be thought fit to be dispensed with from transplantation; and how the rest, for present security (for some time) be laid waste; and likewise how the respective towns and villages (where such Irish shall be suffered to inhabit) may be disposed of, with most security and least offence to the neighbouring English." In April the Committee conferred with the Lord Deputy and Council on the subject, with the result that on 21 May another Declaration was published granting the commanding officers in the district permission to dispense with the transplantation of such Irish tenants and servants as were necessary to the petitioners for the inning of their crops till 20 October. To salve their consciences, however, the Lord Deputy and Council stipulated, as a condition of retaining them, that the petitioning landlords should undertake their conversion from popery. The concession granted the old Protestant proprietors encouraged the officers of the disbanded regiments, which received their satisfaction in County Wexford, to solicit a similar privilege. The result was a further extension of time to the Irish. Apparently, however, Government had no intention of abandoning its scheme of a general transplantation, for, the concession granted to retain Irish tenants and servants leading, as was only natural, to an increase of undesirable persons in the mountainous parts of County Wicklow, an Order was passed on 10 June 1656 desiring Henry Cromwell, as Commander-in-Chief of the army, to take steps for the removal of such Irish Papists as had returned to inhabit there, " it being hoped and intended the same should be thoroughly and seasonably planted and inhabited by Protestants of this and the English nation." But the intention was becoming little more than a pious hope. In November Cromwell was again called on to execute the order for the expulsion of unlicensed Irishmen. But by granting dispensations for the retention of Irish labourers Government had insured the failure of its plan, however it was attempted to conceal it by subterfuges of the sort described in the permission granted Dr Abraham Yarner on 13 April 1659 to retain Irish Papists, provided they were not natives of the county. How futile in fact the efforts to clear the five counties had been was apparent from an Order of 5 September 1659 for disarming all Irish inhabitants and Popish Recusants in County Wicklow.

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[1] P. 120.

[2] No copy of this Declaration exists among the Commonwealth Records; but the terms of it may be gathered from Nos. 652 and 836.

Another point on which these Documents throw some light is the treatment by the Commonwealth of what were called the "ancient inhabitants" in the port towns of Munster. By "ancient inhabitants" were meant those Irish Roman Catholic proprietors, resident in Ireland between 1 October 1641 and 1 March 1650, who, as not having actively assisted the Irish rebels, were by the eighth Qualification in the Act of Settlement entitled to retain two-thirds of their estates. Where the Act did not state, but being as Irish Catholics comprehended in the general order for transplantation to Connaught their only hope of avoiding that fate was to prove their constant good affection to the Commonwealth. No definition of what constituted constant good affection is to be found in these Documents, the Instructions to the Mallow Commissioners, which would have given the desired information being unfortunately wanting; but that it was something more than non-resistance or even than the cup of cold water Col. Lawrence described it to be is evident. Still there were many of the Catholic inhabitants of Cork, Kinsale and Youghal who thought they had a sufficient claim to dispensation from transplantation on that account, and a number of petitions to that effect having reached Government the matter was in December 1655 referred to the consideration of Col. Phaire, Vincent Gookin, Major Wallis, Dr Worth and others best acquainted with the condition of affairs in Munster. But the Commissioners being unable to come to any decision a judicial Commission, consisting of Justices Cook, Santhy and Halsey was appointed to hear and determine all claims to lands made by any "persons of the Irish nation, who inhabited or do now inhabit in or near the towns of Cork, Youghal or Kinsale respectively and shall by good and sufficient testimony make it appear that they were or have been active, by countenancing, aiding and assisting for and towards the admission of Sir W. St Leger, then President of Munster into those towns or any of them, in order to preserve them and the country from the Irish rebels in the first year of the Rebellion or thereabouts for the Interest of the Commonwealth, being or that have been Popish Recusants that are transplantable." The Commissioners sat at Mallow from 22 July to 29 September 1656. In their letter [1] to the Lord Deputy and Council in which they described the result of their inquiry they announced that they had been unable to adjudge a constant good affection to any one of the claimants; but that nearly all of them were entitled to receive two-thirds of their estates in Connaught. When the decision was announced in court the Irish unanimously protested that they would rather be sent to Barbados than go into Connaught, where their lives would not be secure. The Commissioners and Government found it impossible to argue them out of their determination, and in the end the matter was compromised by their being assigned lands in the baronies of Barrymore and Muskerry in County Cork.

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[1] Printed in Prendergast, *Cromwellian Settlement*, pp. 174-175. The letter is not dated, but it was evidently written at the beginning of September 1656.

All these preparations—transportation and transplantation of the Irish, compositions of Delinquent Protestants and the like were of course only preliminary to the great work of settling the Adventurers and soldiers on the lands that had been assigned them in liquidation of the debts owing them. As regards the soldiers we have seen that a considerable disbandment (4711 persons) had been effected in 1653-1654. The arrears satisfied at that time were for service both before and after 5 June 1649, and the lands allotted were located in the counties of Cork, Louth (Barony of Ardee), Kilkenny, Sligo, Longford, Fermanagh and Cavan. In the settlement then made the fact had come to light that the forfeited lands at the disposal of the Commonwealth were insufficient to satisfy all the claims on them. The result was twofold: (1) a reduction of the rates set forth in the Act; and (2) the abstraction of a considerable quantity of land assigned for Irish transplanters in Connaught, viz., the whole of the counties of Leitrim and Sligo and a half of County Mayo. As regards the reduction of rates it had not been submitted to with a very good grace. Constant efforts, recorded in these Documents, were made to extract better terms from Government and in April 1654 a Council of Officers passed a resolution[1] in favour of returning to the rates set down in the Act of 1642. As for the diminution of land assigned the Irish in Connaught the consequences were very disastrous; for many of those transplanters, who had in the first instance been allotted lands *de bene esse* and even confirmed in them by the final decrees of the Court of Athlone, were, when it was found that there was an insufficiency of land to answer all claims, obliged to make way for those whose qualifications were better established.[2]

But these were only incidents by the way. By the disbandment in 1653 the army had been reduced to about 30,000 men. Their maintenance was a heavy drain on England, and the question of a further reduction pressed for a speedy solution.

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[1] The only trace of this resolution in the Documents is in the Instructions to Rowe and Kingdon, on p. 423.

[2] The difficulty was attempted to be solved by the contraction of the three-mile limit along the coast and Shannon to one mile; but without entire success.

From a letter of the Lord Deputy and Council to the Protector on 14 November 1654 it appears that there was some difference of opinion as to the number proper to be disbanded, for, whereas the Irish Government were inclined to fix the military establishment at 15,000 foot and 4000 horse at least for a time, in England it was hoped that 12,000 foot and 3000 horse would suffice. At the time of course there could be no question of any such sudden and large reduction, if for no other reasons than that the arrears of the army had not been fully stated and that the lands to be assigned the soldiers had not been surveyed. But, the charge of the army continuing and the difficulty of meeting it increasing, an attempt was made to induce the officers of the army to consent to the leasing of their lands in the ten counties for the public good. Nothing, however, came of the scheme, and a rumour having got abroad early in 1655 that the survey in hand by Dr Petty, though not far advanced, was showing a considerable increase in the forfeited lands over that taken by Worsley, applications were made to Government for a speedy assignation of them and a plenary satisfaction of arrears on the basis of the rates set forth in the Act of 1642. But the Lord Deputy and Council were not so sure that Petty's survey would show the increase expected, especially, as in any new arrangement as was suggested, the claims of those soldiers who had been disbanded in 1653 for an increase in their proportions would have to be considered. All that they would consent to do was to assign lands on the basis of a satisfaction of two-thirds of the arrears due to the army according to the rates in the Act, and, until the settlement was made, to allow the army to enjoy all rents and profits arising from the lands to be assigned. The plan did not meet with the approval of the officers and the clamours for a speedy settlement continuing a considerable reduction of the army was carried out in August 1655.

The troops disbanded were Ludlow's, Coote's and Pretty's regiments of horse; Ingoldsby's regiment of dragoons; and Axtell's, Stubbers' and Clarke's regiments of foot, together with some non-regimental or "loose" companies—in all about 5000 men. For their satisfaction lands were assigned them in the counties of Waterford, Meath, Westmeath, Kilkenny, Queen's County, Limerick, Kerry, Tipperary and Cork. Full satisfaction for their arrears was given at the rates which had been allowed to those disbanded in 1653, with this difference that whereas the valuation in 1653 was made by counties that now given was made by baronies.[1] The result was that, if not a perfect settlement, it was so far as the division of lands went much better than that of 1653. The subdivision was of course by the same process of a lottery as in 1653, and a little bit of sharp practice, recorded on page 540, affords us a welcome glimpse of the jealousies and heartburnings that marked the distribution of lands. The soldiers had got their satisfaction but it soon appeared that few of them were anxious to abandon the trade that had become dear to them for the peaceful monotonous calling of a farmer. Fortunately Government was able to offer them further employment and shortly afterwards 1500 of those now disbanded were re-enlisted to serve the State in Jamaica, but the result was not favourable to the scheme of a thick plantation of the country with English Protestants.

So far as the further accumulation of arrears was concerned, the disbandment afforded some relief to Government, but the cost of the army's maintenance was still a matter of the gravest concern to them. It was with no little satisfaction, therefore, that they received the news that Petty had finished his survey and that, so far as the admeasurement of the lands was concerned, there was nothing in the way of a final liquidation of the debt due to the army. The difficulties that confronted them were, however, very great, owing to the refusal of the officers to consent to any settlement that was not based on a plenary satisfaction of their arrears. Their rejection of every proposal submitted to them for a temporary accommodation, till it was seen how far the funds would stretch, and their constant squabbles amongst themselves as to the relative value of the lands assigned them, at last exhausted the patience of Government, so that on 9 May 1656 the Lord Deputy and Council took the decided step of handing them over all the lands liable for their satisfaction (with the exception of those reserved for the '49 officers in Wicklow, Leitrim and Donegal) to do with as they liked, merely stipulating "that a due and equal satisfaction should be given to the officers and soldiers disbanded in 1653, according to the promise and agreement made with them by the General Council of the army."

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[1] Petty, *Political Anatomy of Ireland*, Ed. 1691, p. 60. "Afterwards the soldiers, who were to have satisfaction of their arrears at the same rate, not being willing to cast lots upon such desperate hazards [*i.e.* the rates by Provinces set forth in the Act of 1642], did *ann.* 1653 equalise counties within each

The decision of Government was received with gratitude by the officers, and on 12 May Col. Abbot, Col. Sadler, Major Morgan, Vincent Gookin, Dr Petty and Miles Symner were nominated Trustees to carry out the division of lands. How this division was actually effected by Gookin, Petty and Symner these Documents supply no information, and the fact is the more to be regretted as the account of it promised by Petty was never written by him.

The army had been satisfied its arrears for its services in Ireland since 6 June 1649, and in England before that date. Also a considerable part of those arrears due for service in Ireland before 6 June 1649 commonly called the '49 arrears had been liquidated. There remained only the arrears of the soldiers of the old Protestant army in Munster, who, by adhering to Inchiquin in his defection from the Parliament, would have forfeited all claim to consideration had they not, by their timely surrender of the garrisons in their possession to Cromwell in November 1649, rendered him such a piece of welcome service that he was willing to condone their offence. Order had been given on 27 June 1654 that they should have their arrears stated up to the time of their defection and, by a vote of the General Council of Officers, the counties of Wicklow, Leitrim and Donegal had been assigned for their satisfaction. They were, however, not regarded with much favour and by an Order of Council on 18 November 1656 they were divided into two categories, viz., those who continued to serve under Cromwell and those who did not. The latter were only to have their arrears stated and Debentures given them if they could prove a constant good affection. Debentures [1] seem accordingly to have been given to those entitled to receive them in 1658, but when the Restoration came it found them still unsatisfied.

Province, viz., took some in Leinster at £1. 2s. per acre, some at £1 etc. And those who were satisfied *ann.* 1655 and afterwards did equalise not only counties, but baronies also, valuing some baronies in Leinster at £1. 4s. per acre and some but at 6s. and others at all rates between these two extremes. But so that, notwithstanding all the said differences, the whole Province should be given and taken at 12s. per acre, according to their laws. And the inequality remaining after this equalisation was to be corrected by lot."

[1] A facsimile of one of these forms the frontispiece to Prendergast's *Cromwellian Settlement.*

As for the second great body of settlers—the Adventurers, it must be borne in mind that the negotiations, previous to their actual taking possession of their lots, were carried on directly between them and the Government in London and that therefore it is only when matters had reached this later stage that the Documents here printed become of importance. It has already been remarked that in January 1654 a lottery had been held at Grocers' Hall to decide which of the baronies in the ten counties should belong to the soldiers, which to the Adventurers. This division had been authorised by an Order of the Council of State on 1 June 1653, confirmed by the Act for Satisfaction of 26 September the same year. By that Order power had also been given the Adventurers' Committee to devise a method for clearing all claims of the Adventurers to lands in Ireland. In consequence of this Order the Adventurers were required to meet at Grocers' Hall on 20 July 1653 to begin to draw lots as to where the lands answering to the debt owing to them should be allocated. The drawing at this point was twofold—(1) for a province; (2) for a county in that province. The next step of drawing for a barony could of course only follow after it had been decided which baronies in the ten counties belonged to the Adventurers. This, as remarked, happened in January 1654, and on the 12th of that month the drawing of baronial lots began. Having now got his lot or ticket, let us say, in the following order—province, Munster; county, Tipperary; barony, Kilnamanagh, the Adventurer wanted to know in which part of Kilnamanagh barony he was to be located. The procedure was as follows:—The barony was on the map divided into quarters, 1, 2, 3, 4, by a line drawn north and south and another east and west. With his certificate marked Kilnamanagh Barony, division 4, 460 acres, A. B. now went to Ireland and had lands assigned him by the surveyors answering to those in his certificate. The plan was a simple one, and would have worked all right had the lands in the barony been properly surveyed, arable lands distinguished from waste lands, free lands or as they were called "neat" lands from encumbered or "dubiose" lands, and a proper specification of the lands assigned been set down in the certificate. But as nothing of this sort was attempted the result was a terrible state of confusion. For, arriving at his destination A. B. found as often as not that the lands in his quarter were either already occupied by a previous arrival (on the principle first come best served), or that he could only get satisfaction for his 460 acres in bits here and bits there, or that what he got was worthless bog-land, or that the lands assigned him had either been let by the State for a number of years, or were mortgaged, or were contested by some Protestant Delinquent. To add to his disgust and mortification, there was perhaps in the next division a superfluity of land.

In the circumstances then it was only to be expected that in a short time Government should have been overwhelmed with complaints of one sort and another, but chiefly directed against the leases given by the Commissioners of Parliament in 1653 when food was so scarce that multitudes died of starvation, "and others were necessitated to sustain themselves by the carcasses of dead beasts and of those very bodies of men, who had a little before perished for famine." On 27 June 1654 an Ordinance was passed for the further encouragement of the Adventurers and among the privileges accorded them was one assigning County Kildare (one of those counties the State had reserved for itself) as satisfaction for those lands that had been leased. But the Ordinance did not go to the root of the difficulty, and the complaints of insufficient lands continuing the Adventurers sent over an agent to discuss matters with the Irish Government. But as to have yielded to his proposals would have amounted to a breach of public faith the Lord Deputy and Council refused to consent to them. Thereupon they were charged with hindering the business of plantation and the recriminations of the Adventurers at last taking such a form they felt compelled to justify themselves in a letter to the Committee at Grocers' Hall (pp. 509-513); which lets in a flood of light on a very difficult and complicated subject.

A year elapsed and the soldiers having in the meantime got possession of their lands on what were practically their own terms, a committee, consisting of Sir John Temple, Sir Robert Meredith, Justice Donnellan, Dr Henry Jones, John Bridges and Thomas Hooke, was appointed on 13 June 1656 to hear and determine all differences that had arisen among the Adventurers as to their lands. The result as recorded in a letter to the Protector in May 1657 was not satisfactory, and as the lands at the disposal of the Adventurers began to show signs of giving out long before all their claims were settled, a demand was made for the concession of County Louth, which had been assigned by the Act as collateral security for them and the army. But to this demand the officers would on no account submit. They insisted that the lands given the Adventurers were more than sufficient to meet their claims, and that if there was any shortage it was only due to mismanagement. They had evidently good grounds for their argument, for in January 1658 Gookin, Petty, Ralph King and Miles Symner were appointed by Government to inquire into the state of the Adventurers' lots. The inquiry was naturally not agreeable to those Adventurers who had got in many cases more than their fair share, and, when in May Petty was charged with a mission to explain the state of affairs to the Committee at Grocers' Hall, an underhand attempt was made by them to discredit him in the eyes of the Committee as a self-seeking person, who, by his intrigues, had caused infinite mischief in Ireland. Fortunately Petty had little difficulty in disproving these slanders, and, having won the confidence of the great body of the Adventurers, he was entrusted by them with the division of their lands. Returning to Ireland at the end of 1658 Petty at once took the business in hand and by 1 May 1659 he had settled the last Adventurer on his lot.

It would prolong this Introduction beyond all reasonable length to discuss all the points of interest raised in these Documents—the measures taken by Government to establish a godly and zealous ministry, even to preaching to the Irish in their native language; to preserve freedom of conscience while repressing all tendencies, whether on the part of the Presbyterians, Anabaptists, Quakers or Roman Catholics, which might lead to a breach of the public peace; to repress ungodliness in public and private life and to enforce a habit of moral living on the students of Dublin University; to foster a love of industry and to put down vagabondage by setting habitual beggars to work, or removing them out of the kingdom; to reform the manners and customs of the native Irish by the suppression of coshering and by compelling the wandering creaghts to draw together into villages; to advance trade and manufactures; to supply the country with a solid coinage; to improve the revenue;

to suppress piracy; to prevent the destruction of woods; to promote intercourse with England by developing a regular postal system; and to provide for the safety of shipping by the erection of lighthouses along the coast. All these and other points could only be treated in a detailed history of the period. But it may, in conclusion, be permitted to call attention to the other side of the picture. The rule of the Puritans was not a light one. Men of high ideals and strong if narrow beliefs are not likely to have much sympathy with men of weaker mould. The atmosphere of spiritual exaltation in which they live distorts their vision and perverts their judgment. Often they cannot see that they may be denying to others the very liberty they claim for themselves. Their attitude causes their actions to be misjudged and their motives to be misinterpreted. Hypocrisy is attributed to them simply because it is impossible to judge them by the standard of ordinary humanity. But for this reason we must be chary of condemning them. If their God was, in our opinion, only the reflection of their own narrow theology, we may not forget that he was a very real God to them. In every little incident they sought to read His will and there is nothing more pitiable in these Documents than their endeavour to see in a fresh outbreak of the plague at a critical moment a manifestation of the Divine displeasure at their leniency towards the Irish. In the light of what had happened and considering the indescribable sufferings endured by the Irish at this time we can hardly believe that such a reproach was seriously meant. How men like ourselves, and accessible to the feelings of pity and love could so have steeled their hearts to wade through the sea of blood they did, in the full conviction that they were all the time executing the Divine will is a mystery we find hard to explain. Where, we cannot help wondering, were their eyes that they could not see the futility of their proceedings. They had set out with the intention of crushing popery in Ireland, of making Ireland a Protestant country like England. Had they after all their exertions succeeded in making one convert of whose conversion they were sure? Ireton had threatened expulsion from the army with loss of all his arrears in the case of a soldier who married a Catholic Irishwoman. But the fact that his threat had to be renewed more than once speaks volumes. For the priest and Jesuit there had been no pardon—out of the country they must go ; but long before the end of the Commonwealth had come popish priests and popish schoolmasters were swarming in the very heart of the Pale. In all their meditations on the Word of God there was one text they failed to understand: "Vengeance is mine ; I will repay, saith the Lord." It is vain to argue that had the Commonwealth continued there would have been no relapse into popery. Only by the extirpation of the whole Catholic population could that result have been achieved. The lands of the Irish might be taken from them, maypoles might be knocked down, and the superstitious observance of Christmas and Easter holidays might be forbidden, but to turn back the clock of history was impossible. England had once had her chance to minister to the spiritual needs of the Irish. She had neglected it and the opportunity was never to occur again.

SUMMARY OF CONTENTS OF DOCUMENTS IN VOLUME I

Pages

1651. JULY 1–16

The Commissioners, after referring to a former letter giving an account of the capture of Athlone, proceed to set forth the state of affairs in Leinster. Operations were greatly hampered by want of money and provisions for the army and the constant and daring attacks of the Irish. Of a reduction of the standing forces there could at the time be no question, but it would be of great service to them if they were informed what terms Parliament was willing to hold out to the Irish. The plague was still raging at Dublin, and in consequence Trinity College had been closed. A few days later the Commissioners proceeded to Belfast for the purpose of settling affairs in Ulster. The province, they reported, was fairly quiet, but the Scots generally were disaffected to Government and it was considered advisable to establish a number of forts in Cavan, where the bulk of the enemy, attended by Col. Venables, was concentrated.

AUGUST 17–31

After a visit to Carrickfergus, Coleraine and Londonderry the Commissioners returned to Belfast on 1 August, where they were saddened by the news of the wreck of the *Hind* frigate and of the destruction of a small party by the Irish near Armagh. About the middle of the month they were back again in Dublin. Nothing of importance had happened during their absence except that the Irish had taken advantage of Ireton's withdrawal of most of the Leinster forces to Limerick and the absence of Hewson, who was co-operating with Venables about Athlone, to surprise a number of garrisons on the Barrow. So serious did matters in this respect become that the Commissioners were obliged to strengthen the city-guard and raise a volunteer force for the protection of Dublin itself.

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1651. SEPTEMBER 31–60

On 18 September the Commissioners presented Parliament and the Council of State with a detailed account of the situation of affairs. The siege of Limerick was dragging on its weary length and threatening to become a winter's work. Murtogh O'Brien and David Roche had attempted a diversion in favour of the besieged and had put Ireton to very hard marches in bogs and woods to disperse them. In Munster Muskerry was giving occupation to Lord Broghill, while Col. Sankey was busily engaged in the midlands in ineffectual efforts to run Fitzpatrick to earth. From Ulster there was a report that the Irish had plundered the country about Omagh and extended their operations as far as Dundalk. Sir C. Coote was still lying before Galway, but his forces were insufficient to invest the place. Commissary-General Reynolds had forced Dungan out of the King's County across the Barrow, but he and Scurlock and Grace were playing sad havoc with the quarters in Wicklow and Wexford. In consequence the assessments had been so reduced that the Commissioners had been forced to borrow money to meet the immediate wants of the army ; the stores were almost depleted of ammunition and there was a great need of fresh recruits, those recently sent being fitter for a hospital than an army. The return of Reynolds and the recovery by him of some of the captured garrisons somewhat relieved the situation, and the confidence of the Commissioners was further heightened by the news of the victory at Worcester.

OCTOBER 60–75

But in the Commissioners' next letter to the Parliament on 8 October they had to record further successes of the Irish in Ulster and Leinster, including the capture by Dungan and Scurlock of New Ross. In addition to these mishaps, hardly avoidable in the circumstances, royalist privateers were causing much mischief to the fishing trade and cross-channel shipping and the feeling of insecurity was

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1651. OCTOBER—*continued*

added to by the discovery of a band of false coiners. It was some slight set off to these misfortunes to be able to report that Dungan and Scurlock had been speedily brought to book by Col. Cooke near Monasterevin and their forces totally scattered, even if the success had to be qualified by the announcement a day or two later that the enemy was again in full force about Naas. It was an exasperating situation, but until Limerick was captured there was nothing for the Commissioners to do but to possess their souls in patience. The knowledge that the plague was raging among the garrison gave hope that the end was not far off, and on the 28th the welcome news arrived that the city had surrendered. But the victory had been dearly bought. Two thousand of the besieging army, the Commissioners were informed, had died during the summer.

NOVEMBER 75–90

Provisions everywhere were at famine prices, and early in November an Order had to be issued for the punishment of persons convicted of engrossing corn. As for the executions that followed the surrender of Limerick the Commissioners had not much to say. It was not a business that concerned them personally. Their time was fully occupied in matters of civil administration and in making arrangements for the provisioning and pay of the army. On the 13th the assessments in Leinster were settled for the following six months, and in answer to an intimation from Ireton that he intended to make Athlone his head-quarters for the winter and would be glad to consult them as to the arrangements necessary to be made in that case, the Commissioners were preparing to proceed thither, and had already issued orders for collecting provisions and strengthening the fortifications at Athlone, when a report of the sudden illness of the Lord Deputy, followed almost immediately by the news of his death on the 26th, compelled them to make fresh arrangements.

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1651-2. DECEMBER 90–114

On 2 December Orders were issued by the Commissioners transferring the command of the army to Ludlow, who had recently captured several important castles in County Clare, and renewing all commissions in force at the time of the Lord Deputy's death until fresh instructions arrived from Parliament. So far as the prosecution of the war was concerned Ireton's death caused no interruption. One of his last acts had been to address a summons to the citizens of Galway, offering them, in case of an immediate surrender, the same terms that he had been willing to grant to Limerick on his first sitting down before that place. His offer had been rejected, but as the citizens had professed ignorance of the terms offered to Limerick a copy of the articles was now sent to Coote with instructions to renew the negotiations for a surrender. The sense of increased responsibility, however, led to a desire on the part of the Commissioners to consult the opinion of those more immediately concerned in the management of affairs, and early in the month arrangements were made for a meeting with the general and field officers at Kilkenny. Instructions were sent to Col. Axtell to prepare healthy quarters for their reception and on Thursday the 18th the Commissioners left Dublin. They reached their destination safely on Saturday night and were greeted with the news that a considerable amount of money for the army had just been landed at Waterford. In a joint letter a week later the Commissioners and Officers, after informing the Council of State that the enemy in arms was estimated to be not less than 30,000, but that many of their officers were willing to submit if they were allowed to carry their men abroad to serve in the King of Spain's army, suggested that it would be of public advantage if some such arrangement could be effected.

JANUARY 114–127

January 1651[-2] saw a number of Orders published for the settlement of assessments in Munster and other parts, the protection of such of the enemy

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1652. JANUARY—*continued*

as desired to submit to the authority of Parliament or merited it by delivering up one or more of their officers, and the punishment of such as having once submitted should again take up arms. Proposals for breaking the strength of the Irish, for the speedy lessening of the charge of maintaining the army and settling the Adventurers' share in the forfeited lands were considered at a meeting of the officers and transmitted to the Council of State. From the letter accompanying them it appears that, exclusive of the forces under Sir Charles Coote, the number of men in pay amounted to upwards of 30,000, that the monthly charge, not reckoning what could be raised in Ireland or what was needed for ammunition, clothes, provisions, etc., amounted to round £20,000. Other matters occupying the attention of the Commissioners during their stay at Kilkenny were the claim of the Earl of Antrim to special consideration, the effect of the treaty concluded between Ormond and the Parliament in June 1647 on the estates of Delinquents in Ireland and the redemption of Nicholas Archer, a prisoner in the hands of the Turks. From Kilkenny the Commissioners proceeded about the middle of the month to Portumna, where they had a meeting with Sir Charles Coote and other officers in Connaught and settled the assessments, excise, customs and other revenues in that province.

FEBRUARY 128–142

Returning to Dublin at the beginning of February the Commissioners presented Parliament and the Council of State with an account of their proceedings and the general state of affairs. So far as military matters were concerned they had nothing of importance to relate except the capture of Fitzpatrick's stronghold of Ballybawn. At Galway the besieged had made a sally in the hopes of capturing some cattle but had been driven back with loss, and an attempt to surprise Tecroghan had been defeated. Overtures had been made by some of the Irish leaders for laying down arms on

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1652. FEBRUARY—*continued*

terms but nothing up to that time had come of them. The *moral* of the army was excellent, but the Commissioners were loath to mention what vast numbers had perished "by the hardship of the service, cold (through want of clothes), and diseases of the country." They enclosed a list of those counties which, as being wholly or partly in possession of the enemy, yielded no profit. The rest of the country was so wasted that no provision could be made of corn, oat-meal or cheese. Affairs generally were much straitened for want of money to pay the forces, and unless the monthly supply was sent over regularly and without deductions it would be impossible to prevent the soldiers taking free-quarter, which would only make matters worse. A letter to the Rev. Mr Knight inviting him to take charge of the independent church at Waterford closes the month's correspondence.

MARCH 142–162

March opens with a letter to the Council of State intimating certain successes in the midlands, including the capture of Ballileague, and enclosing proposals that had been received from the Earl of Clanricarde, and an assembly of the Irish at Garrench for a general settlement. The proposals had been rejected. On the other hand an offer of surrender on the part of Col. John Fitzpatrick with his whole commando had been accepted, and on the 7th articles were arranged with him at Streamstown, whereby he undertook to transport his men abroad. The terms conceded, especially as regarded the retention by him of his estate, were more favourable than the Commissioners cared to grant and were only yielded to in the hope that the granting of them would, by spreading distrust amongst the Irish, serve to break down their agreement not to capitulate singly. The news that John Lambert had been appointed Lord Deputy by Parliament produced a letter from the Commissioners on the 22nd, explaining the situation of affairs to him and urging him to press for a constant supply of money

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1652. MARCH—*continued*

for the army. How difficult it was to hold the men from deserting was shown by an Order of the 25th forbidding soldiers to leave Ireland without proper passes.

APRIL 162-178

On the evening of 10 April the Commissioners were startled by a despatch from Sir C. Coote announcing the capitulation of Galway and enclosing the articles of surrender. A glance at them showed that for some reason he had gone beyond his instructions, and that same night it was resolved by a hastily summoned Council-of-War that it was impossible to confirm them without considerable alterations. Information to this effect was sent post-haste to Coote and next day a letter, enclosing articles for the surrender of Roscommon to Reynolds on the 3rd, explained to the Council of State what had happened. Another to the same effect to Parliament on the 12th likewise notified the intention of the Commissioners going to Kilkenny to arrange for the disposal of the provisions that had been sent for the army, and was followed next day by one with the news that Col. Cooke had been killed in a skirmish with the Irish. At the same time an apology was addressed to Dr Winter's congregation in England for detaining their minister in Dublin. The surrender of Jamestown on the 7th and of Carrick-on-Shannon on the 8th to Reynolds was communicated to the Council of State on the 14th. From Kilkenny, where they arrived on the 17th, the Commissioners, in answer to a letter of Coote's of the 15th declared that while making no question of his motives they could not confirm the articles of Galway unless the alterations made in them were accepted.

MAY 178-208

The fact was, as the Commissioners explained in a letter to Parliament on 5 May, they were not at all sure that in the treaties they had already concluded they had not displayed too much leniency towards the Irish. Their doubts in this

1652. MAY—*continued*

respect had been increased by an abstract submitted to them by Dr Henry Jones of the atrocities committed at the beginning of the Rebellion. The matter was the more pressing as since the capitulation with Fitzpatrick they had received many applications from several chief officers of the enemy's party to treat. Commissioners had been appointed to arrange terms with most of the rebels in arms except those in Ulster and the result would be communicated as soon as it was known. Enclosed they sent a copy of articles concluded at Limerick on 21 April for the surrender of Murtogh O'Brien's forces in County Clare, and a copy of a proclamation published by the Irish for the excommunication of Fitzpatrick. Counting O'Brien's forces, more than 4000 Irish had already laid down arms and shipping was being got ready for their transportation. In their letter of the same date to the Council of State the Commissioners were more explicit as to the general state of affairs. Notwithstanding their low condition the Irish had recently scored some successes, but these had been more than made good by Dungan's defeat in County Wexford. It was useless, they wrote, to expect any provisions from the country for the army before October. So great was the distress that in Thomond and Upper Ormond the inhabitants were necessitated by hunger to eat their garrans and plough-horses. The Commissioners might have added that, owing to the devastation of the country, wolves were so much in evidence that they had recently been obliged to issue an order forbidding those Irishmen who were leaving the country taking their wolf-dogs with them, as also one requiring all persons above the age of ten to register their names and addresses as a precaution against harbouring of Tories. Pending the negotiations with the Irish they employed their time in settling the assessments for the following six months. On the 13th they were able to report that on the previous day articles had been concluded with the main body of the enemy in Leinster and

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1652. May—*continued*

times and places appointed for the different regiments laying down their arms. Captain John Vernon was sent with the text of the treaty to London on the 15th and the same day the Commissioners moved to Clonmel on their way to Cork, where warrant was given to Col. Sankey to apprehend a number of individuals suspected of being guilty of the murders committed at Cashel at the beginning of the Rebellion, and a proclamation published offering rewards for the capture, dead or alive, of such of the Irish leaders in Munster and Leinster as did not surrender by the last day of June.

June 208–231

In a letter to Reynolds on 3 June and another to Parliament on the 5th the Commissioners explained the general situation of affairs. Muskerry, hoping for better terms, had refused the articles concluded at Kilkenny and entrenched himself at the Castle of Ross in Killarney lake, where he was practically inaccessible; but after the capture by Waller of Dromagh Castle had set free the forces in Cork to co-operate in Kerry, he had renewed negotiations for a surrender. Clanricarde with the main body of the Connaught and Ulster enemy was understood to be about Ballyshannon, hotly pursued by Coote and other commanders. On the 9th the Commissioners were obliged to announce that the negotiations with Muskerry had been broken off and they were making preparations to reduce him by force. To Ludlow they wrote on the 15th from Kinsale saying they were sending him men and provisions and a ship's carpenter to give orders for making boats and bridges. They had heard that Murtogh O'Brien had broken into County Cork and was about Macroom with Gerald Fitzgerald. Condon too had slipped over the Galtees and was about Tallow. The same day Standish was informed that the boats etc. necessary for the attack on Ross had sailed and might be expected at Dingle in a day or two. He was to take steps to provide £5000 for the pay of the soldiers for two months

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1652. JUNE—*continued*

and £500 to defray incidental charges. Returning to Cork the Commissioners replied to a proposal for a treaty from Clanricarde with a demand for unconditional surrender. To Axtell they wrote on the 19th acquainting him with the general state of affairs and advising him to keep a sharp eye on Grace. Muskerry, they were informed, had reopened negotiations, but he was not likely to get the same terms as formerly. On the 21st they wrote to Lord Broghill congratulating him on his victory over the Irish near Macroom and informing him that Col. Clarke's regiment had arrived safely at Waterford. In a letter of the same date to Ludlow they added that they had ordered the men to be sent to Tallow to await his instructions. They had received news that Coote was before Sligo, expecting an immediate surrender. Grace and Bourke had fired Portumna, but Ingoldsby was on their heels. To a request of Fitzpatrick for a continuance of maintenance till he could get his men transported, they replied on the 22nd by referring him to Ludlow. A letter received on the same day from Major Brian Smith informed them that Ingoldsby had routed Grace's horse and driven his foot into a bog near Loughrea. Coote, Reynolds wrote, had captured Sligo and had since moved to Ballymote, while Venables was engaged in fortifying Belturbet. Despatches to the Council of State and the Parliament on the 24th informed them of the progress of events as recorded, and in a postscript to the latter they announced that they had just received news of the surrender of Ross. The outbreak of hostilities with Holland led to orders being issued on the 26th for the detention of all Dutch ships in Irish ports.

JULY 231–242

July opened with a letter to Ludlow intimating that, in accordance with a request of divers officers, a meeting had been arranged for at Kilkenny on the 8th. But as Ludlow could not leave Kerry till the 6th the meeting was fixed for Clonmel on the 10th. Meanwhile information had reached the Com-

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1652. JULY—*continued*

missioners of the arrival of one or two vessels from France in Kenmare River with relief for Muskerry. The relief arrived too late. Muskerry was loyally performing his conditions and on the 5th the surrender was completed. Twenty barrels of powder and 1200 good arms had been captured at Ross the Commissioners wrote to Coote, acknowledging letters from him intimating the surrender of Sligo, Newtown and Ballyshannon. On the 8th they left Cork for Youghal on the way to Clonmel, at which latter place they had, as arranged, a meeting with the officers of the army. It had been Ludlow's intention to proceed northwards for the purpose of co-operating with Coote and Venables against the northern rebels, but the news of the capitulation of the main body of the Connaught Irish on the 14th to Coote and Reynolds caused him to alter his plan and he had, as the Commissioners announced in their letters to Parliament and the Council of State from Waterford on the 22nd, gone to reduce the rebels in Wicklow and Wexford, who with O'Brien in Munster, Grace in King's County and the Ulstermen were the only rebels that still held out. Having during their stay at Waterford settled the assessment of Kerry and issued an Order forbidding Irishmen to travel about the country without passes and threatening such as were found in arms after the 20th with punishment as spies, the Commissioners before taking horse for Dublin on the 23rd addressed letters to Cromwell in favour of Colonels Fitzpatrick and O'Dwyer. Passing through Carlow on the 25th, they published orders for a general fast on account of a fresh outbreak of the plague at Cashel and on their arrival at Dublin they found that it was raging there as well.

AUGUST 242–271

After giving instructions to Dr Henry Jones to proceed to Kilkenny and Tipperary to investigate the massacres committed in those parts, the Commissioners removed their head-quarters to Drogheda at the beginning of August. Except the

1652. August—*continued*

news of Fleetwood's appointment as Commander-in-Chief, nothing, they wrote to Parliament on the 11th, had happened worth mentioning since they last wrote. The Irish in Ulster were still holding out in expectation of assistance from abroad and they enclosed a letter from their leaders to Reynolds and Venables. Now that the country was being reduced to some degree of order they thought it desirable that a court should be established to execute justice on those who had been guilty of murder during the Rebellion. In a letter of the same date to the Council of State they reverted to the damage done to trade by counterfeit and light coin. An enclosure stated the total number of forces to be provided for at 34,128 men. A letter from Ingoldsby announcing the appearance in the neighbourhood of Limerick of certain strange vessels led to another letter to the Council on the day following drawing attention to the damage recently done by pirates and the unprotected state of the port-towns in Munster. To Ingoldsby himself they wrote on the 16th, approving his expulsion of dangerous individuals from Limerick. A letter in favour of a Mr Baker afforded them occasion to lay down a rule that no Papists were to be allowed to practise as lawyers. To Sir C. Coote they wrote on the 17th to relieve his mind of some doubts touching the continuance of military commissions and giving a qualified approval of the articles concluded by him with the Earl of Clanricarde. For the rest he was to see that no favour was shown in the levying of assessments. Information that the inhabitants of Galway were in possession of considerable quantities of powder elicited instructions to Col. Stubbers to inquire into the matter and to prevent provisions being secretly sent to the Irish in Innisboffin. The store-keeper was to issue out one hundred Bibles and waste lands in the precinct were to be let for three years. An Order of the 18th that all ministers in receipt of State support were to take the Engagement was supplemented by Instructions to the Commissioners in Ulster to arrest such as principled the people against Govern-

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1652. AUGUST—*continued*

ment. A petition from the inhabitants of Kerry for temporary relief from their assessment was referred for consideration to the Auditor-General, Edward Roberts. A letter from Dr. H. Jones on the 20th reported that he had been successful in obtaining evidence as to murders committed in Kilkenny and Tipperary. Fitzpatrick had left the country with 1000 men and Grace had at last surrendered to Sankey. To a request of the Commissioners at Athlone to have the maintenance of the Irish who had submitted in County Roscommon placed on the Grand Treasury the Commissioners declined to agree; but if Galway men paid the £5000 due from them by their Articles they might advance £1100 to be repaid by the county in monthly instalments. On the 23rd head-money was offered for the capture, dead or alive, of the leaders of the Ulster Irish. They were in good health, the Commissioners wrote to Reynolds on the 24th, but the sickness had increased at Dublin. A new set of Instructions passed by Parliament on that day ordered the publication of the Act for the Settling of Ireland. In intimating the fact to Ludlow and the other commanders on the 30th the Commissioners warned them to take precautions against a fresh rising on the part of the Irish. At the same time they communicated certain grievances complained of by the gentry of County Galway to Coote, requesting him to see that they were redressed. An Order issued by the Commissioners at Galway, forbidding landlords compelling payment of their rents was rescinded on the 31st; and two women condemned to be burnt for killing two children were ordered to be hanged instead.

SEPTEMBER 272–282

A letter to Col. Stubbers on 2 September insisted on the acceptance by the townsmen of Galway of the qualifications to their Articles. One of the 4th required the Commissioners of Ulster to break up the creaghts in that province, and another of the same date desired Axtell to see that his prisoner Col.

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1652. SEPTEMBER—*continued*

Bagenall was treated with consideration. Orders were issued forbidding the Irish included in the Treaty of Kilkenny holding meetings without permission, and the Commissioners in the different precincts were warned to guard against a fresh rising when the Act of Settlement was published. The assessment of Belturbet precinct was settled on the 7th and the day following authority was given to press shipping for the transportation of the Irish. On the 8th Axtell was instructed that, owing to certain doubts as to the interpretation of the terms conceded the Irish, he was to respite the trial of those under restraint until Fleetwood's arrival, and a few days later he was ordered to allow Col. Bagenall to receive the visits of his friends. A letter of the 11th brought news of Fleetwood's safe arrival, and in acknowledging it the Commissioners promised to join him as soon as possible at Kilkenny. Some complaints on the part of the Kilkenny submittees that their conditions were not made good to them led to an order on the 14th for their punctual performance as also to another on the 29th to assist Dungan in transporting his men. At a Council-of-War on the 30th it was resolved that in the articles granted to General Farrell " pardon for life " meant merely permission to leave the country and that by " protection " was only intended protection in time of war.

OCTOBER 282

On 1 October licence was granted to McKillegot and Col. Mayo to transport Irishmen into Spain and permission was given to Col. Phaire to press shipping at Cork for that purpose. A similar licence was granted to the governors of Waterford, Wexford and other towns on the 7th. On the 11th a pass was granted Clanricarde to go abroad.

CALENDAR OF DOCUMENTS

1. INSTRUCTIONS FOR EDMUND LUDLOW, ESQ., LT.-GENERAL OF THE HORSE IN IRELAND, MILES CORBETT, JOHN JONES AND JOHN WEAVER ESQS.,[1] COMMISSIONERS OF THE PARLIAMENT OF THE COMMONWEALTH OF ENGLAND FOR ORDERING AND SETTLING OF THE AFFAIRS OF IRELAND, WHICH INSTRUCTIONS THE SAID COMMISSIONERS OR THE MAJOR PART OF THEM PRESENT ARE TO PUT IN EXECUTION WITH THE ADVICE AND APPROBATION OF OLIVER CROMWELL, LT.-GENERAL, AND GENERAL GOVERNOR OF IRELAND, AND HENRY IRETON, DEPUTY-GENERAL OF IRELAND OR OF ONE OF THEM.

1. The said Commissioners are as aforesaid to improve the interest of the Commonwealth of England in the dominion of Ireland for the advancement of religion and propagation of the gospel in that country, and for the suppression of idolatry, popery, superstition and profaneness in that land.

2. To give all due encouragement to, and appoint competent maintenance for all such persons, of pious life and conversation, as they shall find qualified with gifts for preaching of the gospel and instructing of the people there in all godliness and honesty, by way of stipend out of the public revenue.

3. To cause to be put in effectual execution all laws now in force against Papists and Popish Recusants.

4. To consider of all due ways and means for the advancement of learning and training up of youth in piety and literature, and to promote the same by settling of maintenance upon fit persons

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[1] The Commissioners originally nominated for the government of Ireland (13 Sept.) were Ludlow, Richard Salwey, Jones and Weaver. But Salwey desiring to be excused from that service Miles Corbett was appointed in his place. Lives of all four Commissioners by Prof. Firth will be found in the *Dict. of Natl. Biog.* For Ludlow see his *Memoirs*, Ed. C. H. Firth, 2 vols. Oxford, 1894. As regicides Corbett and Jones were both executed at the Restoration, meeting their fate with dignity and equanimity. Weaver, though nominated one of the Commissioners for trying Charles I, never attended any of the sittings of the Court, and died at his residence at North Luffenham in Lincolnshire in 1685.

to be employed therein, so far as they shall find the present state and condition of the affairs of Ireland to admit.

5. To cause the Acts, Ordinances and Orders of Parliament now in force in this Commonwealth against delinquents, malignants, pluralists and scandalous ministers to be put in execution in Ireland.

6. To inform themselves what course is held, for the present, in the administration of justice in Ireland, to consider what is further to be done for the settling and establishment thereof in the several provinces there, that the people may be encouraged and the inhabitants governed according to the laws and constitutions of England, so far as the present constitution of the country will admit, and to certify their opinions herein to the Parliament with all convenient speed, and in the meantime to take care that justice be administered.

7. To take care that no Popish malignant or other delinquent persons be entrusted with, or employed in the administration of the laws, or execution of justice, nor be permitted directly or indirectly by themselves or others to practise as counsellors-at-law, attorneys, or solicitors, nor to keep schools for the training up of youth, or to be continued or employed in the execution of any place or office of trust.

8. To inform themselves of the state of the ancient revenue and all the profits of forfeited lands, and to cause all forfeitures and escheats to be improved for the best advantage of the Commonwealth of England, and to cause all Acts, Ordinances and Orders of Parliament now in force in England for sequestering of delinquents' and papists' estates and of the estates of archbishops, bishops, deans and chapters to be put in execution in Ireland.

9. In order to the improving and setting a competent revenue there for the ends and uses aforesaid, the said Commissioners are empowered to set and let all such lands, houses and other hereditaments whatsoever in Ireland as are in the disposal of the Parliament of England, as also the rents, issues, and profits of all ecclesiastical benefices of such ministers as shall be ejected, and of all such other ecclesiastical promotions and benefices as are or shall become vacant and not otherwise disposed of by Act or Order of Parliament, for such time and term of years, not exceeding seven years, and at and under such rents or other

conditions, as they shall conceive to be most for the public advantage.

10. To settle the excise and customs in all places in Ireland according to the rates settled in this Commonwealth, and to advance the said rates, or to set new rates upon such commodities in Ireland as they shall conceive may bear advancement or imposition without prejudice to trade.

11. To inform themselves in what manner the treasury of that dominion hath been managed as to its receipts and issues, and of the persons entrusted concerning the same, and to consider how, for the future, there may be established one Grand Treasury in Ireland, what person or persons are fitting to be employed to supply the place of Treasurer of all such monies as are or shall be received, and also of fit persons to supply all other offices incident to the said Treasury, and what salaries or allowances are fit to be settled upon them respectively, and in the meantime to take care that the same may be managed for the best advantage of the State.

12. To take care that the public stores in Ireland be not embezzled, unnecessarily wasted and that due accounts be kept thereof, and from time to time, returned to the Grand Treasury, there to remain and be placed to the respective proper account.

13. The said Commissioners are empowered to sit and vote at Councils of War as often as they shall conceive it fit, in order to the equal distribution and regulation of quarters for the standing forces in Ireland, and for the better settlement of the affairs there relating to the said forces for the public advantage.

14. To consider of all due ways and means for the lessening of the public charge of the Commonwealth and reducing of the same, as well by disbanding of such forces in Ireland as they shall find to be supernumerary or needless, or demolishing of castles and garrisons, as by moderating and regulating the present establishment of the pay for the said forces, and likewise by taking away all other superfluous charges, of what kind soever, wherewith the public revenue is charged, and to put the same in execution so far as they shall find it may stand with public safety and advantage.

15. To appoint and commissionate officers and other persons they shall conceive necessary for the putting in execution of all and every of these instructions, and to allow them fitting salaries

for the same, and, from time to time, to displace such of the said persons, or any other persons employed in the civil affairs in Ireland, as they shall find useless or not faithful in the discharge of their trust.

16. That all warrants that relate to the payment of the army, either in money or provisions, or for other incident charges concerning the war, and likewise all warrants for the issuing of ammunition out of the public stores, issue by warrant from the Lieutenant of Ireland, or the Deputy for the time being upon the place as formerly, and that all other warrants for issuing of monies relating to affairs committed, by these Instructions, to the said Commissioners' care and management issue from the said Commissioners or the major part of them.

17. The said Commissioners are upon all occasions to certify their proceedings, and what obstructions they meet with in the execution of the premisses to the Parliament or Council of State, to the end fitting means may be used for removing of impediments and supply of power as there shall be occasion. Passed 4 Oct. 1650. *Commissions and Instructions*, A/27. 25. ff. 1-5.

2. An Act of Parliament authorising the above mentioned Commissioners to assess and tax upon the counties, cities, and towns of Ireland for and towards the maintenance of the army there, such monthly tax and assessment as they shall find the condition of those respective places will bear, not exceeding the sum of £30,000 a month, to be rated and levied in such manner as they shall find most expedient, beginning from 1st March 1650[-1],[1] with power to appoint such commissioners, treasurers, collectors, assessors or other persons as they shall find necessary for the purpose, to administer oaths, to send for parties, witnesses, papers and records, and to commit to prison all such persons as they shall find and judge to be dangerous to the Commonwealth. Likewise to put in execution all laws, Ordinances and Acts of Parliament in force in England for the sequestration of papists' and delinquents' estates, and for the collection of duties of custom, tonnage and poundage, as also for the punishment of treason, felony, drunkenness, adultery, incest, fornication, profanation of the Lord's Day, blasphemy,

[1] *I.e.* 1650 old style: 1651 new style. The year O.S. began on 25 March.

perjury, profane swearing and cursing, the abolishing of the Hierarchy and the Service Book, commonly called the Book of Common Prayer, an Act for abolishing the kingly office in England, Ireland and the dominions thereunto belonging, an Act prohibiting the proclamation of any person to be King of England and Ireland or the dominions thereof, an Act for the repeal of the several clauses in the Statutes 1 Eliz. and 3 Jac.; touching the oaths of allegiance, obedience and supremacy, and an Act concerning oaths to mayors and other officers. 25 Dec. *Ib.* ff. 7-9.

3. THE COMMISSIONERS OF THE PARLIAMENT OF THE COMMONWEALTH OF ENGLAND FOR ORDERING AND SETTLING OF THE AFFAIRS OF IRELAND TO THE PARLIAMENT.

"Our last[1] gave you an account of the reducing of Athlone. Since that we have received no intelligence from Connaught nor any other of your forces of any concernment worth your knowledge. Last Monday[2] Col. Hewson,[3] with a considerable body from hence, marched into Wicklow,[4] the mountainous parts of Ireland, which is a nest and harbour of rebels and Tories[5] in all times, and have proved so to us in these late wars. The forces from Carlow and Wexford under Col. Pretty's and Col. Cooke's[6] command are to march up that way also, so as there may be a conjunction as occasion serves, or to meet with the enemy in several parts as they shall be dispersed. Col. Hewson doth now intend to make use of the scythes and sickles that were sent over in 1649, but have been laid up in the stores till now, with which they do intend to cut down the corn growing [1] in those places, with which the enemy is to live upon in winter time, and thereby for want of bread and cattle the Tories may be left destitute of provisions and so forced to submit and quit those places. The recruits and supplies you sent over this summer have been a great refreshing to your servants here, and truly the press-men [2] that came over hither are very good men and we hope will be of very good use, only many of them were naked, and all of them want arms, which puts us to some straits in some parts of this nation. We are now going to Ulster to settle your affairs there, and do expect to return about the end of this month to this place. We have not heard from you or the Council of State since our coming over. We mention this not to complain, but to assure you that the commands of the Parliament whensoever or howsoever conveyed to us shall be always duly observed by your" etc. Dublin,[3] 1 July 1651. Domestic Correspondence A/89. 49. f. 7.

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[1] See remarks above, p. xi. Athlone surrendered to Sir C. Coote on 18 June.

[2] *I.e.* 1 July, the date of writing; see No. 4 below.

[3] John Hewson, regicide, came to Ireland with Cromwell as colonel of a regiment of foot. He was wounded at the storming of Kilkenny and was for some time military governor of Dublin. See Life in *Dict. Natl. Biog.*

[4] Wicklow or the country of the O'Byrnes and O'Tooles was, notwithstanding its vicinity to Dublin, the last part of Ireland to be reduced to shireground.

[5] The expression Tory was, according to Prendergast (*Cromwellian Settlement*, p. 333), first officially used by Ormond in a proclamation dated 25 Sept. 1650 ordering all that "are termed Toryes or Idle Boys" to enlist in his Majesty's army, or be deemed traitors. Bagwell refers it to the year 1647, as applied to masterless men living a life of brigandage, adding that it was doubtless in popular use before that date. (*Ireland under the Stuarts*, ii, 330.) The word is occasionally used as a verb—to tory. (Geo. Rawdon to Lord Conway, *Cal. State Papers*, Irel., 1651, pp. 383, 385.) Tóruidhe in Irish means a pursued person, *or* a robber.

[6] Col. Henry Pretty and Col. George Cooke came over in Cromwell's army. The former became Governor of Carlow and, on the disbandment of his regiment, obtained an estate, still in the possession of his family, in co. Tipperary; the latter was appointed by Cromwell Governor of Wexford, after the city was stormed, and in this capacity he displayed great severity towards the Irish. He was killed in action in April 1652. See below, p. 171.

4. SAME TO THE COUNCIL OF STATE.

"In our last despatch your Lordships received an account of your affairs in Connaught so far as they were then communicated to us. The success which God hath given your forces there hath enforced many of the enemy to disperse and divide themselves into several woods and bogs within our quarters in the other provinces, insomuch that they being joined with the Tories (who are very numerous) are able to draw together on a sudden parties of considerable strength to engage your other forces (left to secure the country) upon any advantage, and can (when any forces draw towards them to engage them) disperse at an instant and embody again in other remote bogs and inaccessible quarters. The sad experience we have lately of this their practice will appear by the enclosed [wanting],[1] which we humbly thought fit to acquaint your Lordships with.

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[1] Cutting down the growing corn was an innovation in Irish warfare introduced by Mountjoy during Tyrone's Rebellion, that raised the indignation of Owny MacRory O'More, who described it to Ormonde as "a most execrable course and bad example unto all the world." *Cal. State Papers*, Irel., Eliz. 1600, p. 355.

[2] *I.e.* men pressed for service; *cf.* press-gang. On the number of men sent to Ireland in the course of the summer, see Ludlow (*Memoirs* i, p. 278, note).

[3] In future, except where otherwise stated, the letters are to be understood as addressed from Dublin.

"The reducing of the enemy's garrisons into your obedience (which we hope will be effected this summer) will in no short time end the war, and[2] put your affairs in such a condition as may suddenly bear the reducing of forces to lesser number, whereby the charge may be lessened; because as garrisons are reduced forces must be put into them to defend them and the number of the enemy in woods, bogs and fastnesses are increased by being driven out of their garrisons. There are in the Province of Leinster above sixty garrisons, and in Munster (as we humbly conceive) as many; all which are necessary to be continued for the keeping of passes open and preserving our quarters from being destroyed by the enemy, and yet [the] English, or others that are faithful to you, cannot safely travel two miles from any of the said garrisons without a convoy, which proceeds from the general disaffection of the Irish, who (through the daily increasing numbers of Tories) are (as they pretend) enforced to comply with them and to give them intelligence and supplies, and they pretend to be necessitated hereunto in regard the Parliament have held forth unto them no certainty for the enjoyment of their lives, or any part of their estates, apprehending, as they alleged, that your forces (when the garrisons are reduced) will be employed to destroy them all without any distinction, as their party, upon a design to incline and persuade them to an universal rising, have formerly held forth unto them; and the gentlemen and other inhabitants of several counties, on the behalf of their country, having made application to the Lord Deputy[3] before our coming over and unto us shortly after, to know the Parliament's resolution concerning them, and receiving no signification of the Parliament's pleasure therein, the generality of them are easily induced to believe that severity will be used towards them.

"The stock of cattle in this country is almost spent so that about four parts in five of the best and most fertile lands in

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[1] When an enclosure is marked "wanting" this means that no copy of it was made, or is to be found in the official letter-books from which these documents are taken. See Preface, p. x.

[2] Nor, in the original.

[3] Henry Ireton, who, at the date of the letter, was engaged in besieging Limerick.

Ireland lie waste and uninhabited, which threatens great scarcity here, for prevention whereof Declarations[1] have been issued forth for encouragement of the Irish to till their lands, promising them the enjoyment of their crops, as also for enforcing those that are removed to the mountains to return, and for preservation of sheep, and other cattle. But nothing will be so available for the improving the Parliament's interest (and guiding those that serve them in this country) as an intimation of their pleasure towards this people, and of settling some speedy course for planting and stocking of the country, which hath not an English Protestant inhabiting within it, in any place that we have yet come unto, except it be within a garrison. We have sent your Lordships enclosed [wanting] an estimate of the number of your forces, together with the monthly charge according to the present reduced pay here, and the course that is taken at present for their pay so far as the said particulars are come to our knowledge, whereby it will appear how much the welfare of your forces and affairs here depends upon the seasonable sending over of those monies, which the Parliament have appointed for the affairs of Ireland. There is wanting in the assessments of this province, for payment of the forces that are fixed under the command of Col. Hewson and appointed to be provided for here, £2000 *per mensem.* This defect hath caused us to charge Bills of Exchange upon the Treasurers-at-War[2] for £4000 to supply the present wants of the said forces under Col. Hewson, which we humbly desire your Lordships to approve of, and issue out your order for the speedy payment of the same, and that, for the future from the last of July, there may be £2000 *per mensem* constantly reserved in the Treasurers' hands to answer such Bills of Exchange as shall be charged on them for the necessary supply of the forces under Col. Hewson ; and that part of his forces, that were designed to be with the marching army about Connaught being now returned, and, by the coming over of the late recruits, the charge is increased so as they cannot be maintained with less charge than £2000 *per mensem* out of the Treasury.

"This day Col. Hewson and the forces under his command are marched out into the County of Wicklow in a considerable body of horse and foot, expecting to join with Col. Pretty's and Col. Cooke's forces, there the enemy being in a considerable body, and, in case they be dispersed, Col. Hewson's design is to destroy that part of the County of Wicklow (that is declared out of protection) by mowing down the green corn and driving away their cattle, whereby winter provisions may be taken from them and they forced from those bogs and fastnesses in that county.

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[1] As to these and other Declarations see Ludlow, *Memoirs*, i, p. 262, note.

[2] Sir John Wollaston, Thomas Andrews, John Dethick and Francis Allen, appointed 17 April 1649.

"We shall further desire your Lordship and the Council that there may be 12,000 suits of clothes, 16,000 shirts and 16,000 pair of stockings provided for the soldiers against the ending of September; for the new recruits are most of them naked men, and the clothes the old soldiers had, when they marched forth, will be worn out by that time, and we have had much experience of the loss of many soldiers occasioned by nothing more than by the want of clothes, especially in wet and cold weather, and this country doth not afford them at any reasonable rates, nor in any considerable number. We have here at Dublin taken order for providing 4000 suits of clothes, which is the most that can be gotten against that time here. The timely provision of the clothes abovesaid by your Lordships' care will be very joyful to the soldiers here, and (we hope) be a means, by God's blessing, to save many a man's life. This was agreed upon by the Lord Deputy and ourselves at our last parting with his Lordship, save only the number could not be then ascertained, and therefore, if my Lord Deputy do write for more, we desire his Lordship's desire may be answered therein, save only the 4000, which we shall see provided here at Dublin." 1 July. *Ib.* ff. 12-15.

5. SAME TO THE LORD DEPUTY.

". . . There have been lately taken Smith and Rochford, two principal Tories in these parts, and one more of their confederates, who were hanged, and Rochford died of his wounds before he came to town. Upon consideration had of the access of the enemy towards Ulster and Leinster and the employment your forces here are now put upon, Col. Hewson, at his parting from us, desired us to move your Lordship that, if your Lordship can spare any horse, you would send them this way to be in readiness to help such parties as shall stand in most need of them either in Leinster or Ulster. We are now going into Ulster and shall do our endeavour to settle affairs there, and about the end of this month to return hither, and by that time we hope God will discover and further manifest His power and gracious presence to the army with your Lordship in all your counsels and endeavours, that you may behold further salvation wrought for you, which shall be the continued prayer of my Lord your etc." 1 July. *Ib.* f. 17.

6. SAME TO JOHN WOLLASTON.[1]

Money for the troops very scarce; have been forced to draw Bills for £4000 upon you; desire £2000 *per mensem* for the forces under Col. Hewson. 1 July. *Ib.* f. 8.

7. SAME TO MR OWEN,[2] MINISTER.

"The Parliament, being desirous to advance religion and learning in Ireland, have commanded our endeavours to improve their interest for the promoting of that work according to the trust by them reposed in us. In pursuance of which trust we have inquired into the present state and condition of the College of Dublin and do find the said College furnished with very few officers or other members fit to be continued there. The consideration whereof (and the house being at present visited with the pestilence)[3] moved us to dissolve that society until it shall please God to remove the sickness and some means found out to establish a course which may probably conduce to those good ends. In order thereunto we desire that you (whom we find to be one of the Trustees of that College) upon advice with Mr Thomas Goodwin[4] (or such other persons as you shall conceive fit) will seriously consider what laws, rules, orders and constitutions are fit to be established in the said College. Wherein we desire that the educating of youth in the knowledge of God and principles of piety may be in the first place promoted, experience having taught that where learning attained before the work of grace upon the heart, it serves only to make a sharper opposition against the power of godliness. What God shall direct you in this matter we desire you to communicate to us with all convenient expedition, and likewise what qualifications are requisite in the admission of persons according to the course now used in the university." 2 July. *Ib.* f. 10.

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[1] Sir John Wollaston, J.P. and alderman of the city of London, one of the Treasurers-at-War.

[2] John Owen, D.D. (1616-1683), the famous Nonconformist divine, attended Cromwell to Ireland as his chaplain. He remained only six months in Ireland, during which time he resided in Dublin Castle. A sermon preached by him before Parliament (28 Feb. 16$\frac{49}{50}$) on the spiritual condition of that country led to an Ordinance for the better regulation and endowment of Trinity College, Dublin. See Life in *Dict. Natl. Biog.*

[3] Ludlow says the plague was supposed to have been introduced into Ireland by a ship from Spain and bound to Galway, from whence the infection spread itself through most parts of the country. *Memoirs*, i, p. 261; *cf.* Bagwell, *Irel. under the Stuarts*, ii, pp. 245-246, and Borlase, *Rebellion*, p. 282.

[4] No doubt the well-known Independent divine, Dr Thomas Goodwin (1600-1680). Goodwin, a graduate of Cambridge, was originally a clergyman of the Established Church; but falling under the influence of John Cotton, he resigned his living and in 1639 went to Holland, where he became pastor of the English Church at Arnheim. He returned to London in 1640 and established an

8. SAME TO ALDERMAN HUTCHINSON.[1]

"The packet you sent us came safely to our hands yesterday at night about seven of the clock with yours from Col. Hewson, for which we return you thanks, and for your care and mindfulness of us. There is no news of any concernment save the beginning of a rising in Wales, which began in Carmarthenshire[2]; but our party fell upon them in the first rising and slew about thirty, took fifty and scattered the rest. Two or three ships of the French were taken by our fleet in the Straits. We desire you to send to Mr Hughes,[3] the Secretary with you at Cork House,[4] and require him to send us one hundred of the Excise Books, printed at Dublin, by this post or by the first opportunity, as also one hundred of the Articles of

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Independent church at St Dunstans-in-the-East. In 1649 he was appointed chaplain to the Council of State; in 1650 he was made President of Magdalen College, Oxford, and in 1653 he was appointed a commissioner for the approbation of ministers. See Life in *Dict. Natl. Biog.*

[1] Alderman Daniel Hutchinson, J.P., a substantial merchant of Dublin, was Treasurer of the Public Revenue at Dublin, in which capacity he rendered considerable service to the Commonwealth. As a reward he obtained a special grant of lands, to the value of £2000, formerly in the possession of Thomas Aylmer, in Co. Dublin. He was a member of Dr Winter's congregation, at St Nicholas' Church, and dying in 1676 was buried in the Church of St John the Evangelist.

[2] Gardiner notices (*Hist. of the Commonwealth*, i, p. 434) a rising in Cardiganshire at this time which was summarily suppressed.

[3] John Hughes, Secretary-assistant to the Commissioners. Cf. *Deputy Keeper's Reports*, Irel., xiv, App., p. 50. In 1653 he was appointed public register of lands in Ireland, and in 1666 nominated a practising attorney for the execution of the Acts of Settlement and Explanation.

[4] So called from being the residence of Richard Boyle, Earl of Cork, afterwards the site of the Royal Exchange and now of the City Hall.

War, and if not printed to get them printed and sent with the first, and also to cause the letters enclosed [wanting] to be sent to Sir Theophilus Jones,[1] to be sent to the army; they came from England. These parts afford us no news but are at present quiet and free from the enemy. We hope we shall not be long from you." Belfast, 7 July.—*Ib.* f. 11.

9. SAME TO THE COUNCIL OF STATE.

"By our last from Dublin we gave your Lordships an account of our proceedings and in what posture your affairs in this nation then stood. Since our coming to this place we have met with Col. Venables,[2] who, with the forces of these parts under his command now in the field (besides those in the garrisons) being 1300 foot, besides officers and about 500 horse, have been in Cavan to clear those parts and are now about Armagh, and with some little more addition doth intend (upon advice here taken) to go very shortly to Belturbet, a very considerable place in the County of Cavan, which county is the principal fastness and harbour of the enemy in these parts, and, if they be not called away upon some other emergency, Col. Venables doth intend to make that his frontier garrison to keep the enemy from gathering into a body, and to destroy their quarters. This day we had letters from Sir Charles Coote, a copy whereof is enclosed [wanting], and by an express we have sent to Mr Whalley [3] of Chester to let him know what necessity Sir Charles Coote and Col. Venables are in, they not having above a fortnight's provisions left, but do rely upon the remainder of supply from Chester, which has been long expected here. There is still remaining unsent 386 tons of oat-meal, formerly designed for the Ulster forces, and we do humbly beseech your Lordships to take some effectual course, that in case there be any defect of money or power in Mr Whalley concerning the said supply expected, that your Lordships would consider thereof and give directions therein so as timely provisions may be further sent over." Belfast, 10 July, *Ib.* f. 18.

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[1] Sir Theophilus Jones was the brother of Col. Michael and Dr Henry Jones, afterwards Bishop of Meath. He obtained a grant of the Sarsfield estate at Lucan; but being obliged to surrender it at the Restoration he secured a reprisal in co. Sligo. See Life in *Dict. Natl. Biog.*

[2] Colonel Robert Venables (1612 ?-1687), a native of Cheshire and Governor of Liverpool in 1648, came to Ireland in July 1649, in command of the forces sent to the relief of Col. Michael Jones at Dublin by Cromwell pending his own arrival. He took part in the battle of Rathmines on 2 August, and, after the capture of Drogheda, was sent to assist Sir Charles Coote in breaking down the Scoto-Irish opposition in Ulster. He was occupied there till the end of the war, leaving Ireland in 1654, in which year he was appointed commander of an unsuccessful expedition to the West Indies. See Life in *Dict. Natl. Biog.*

[3] Charles Whalley, or Walley, was appointed Parliamentary agent, or commissary, at Chester in September 1646. It was his business to superintend the transport of provisions sent by way of that port for the army in Ireland. For Instructions to him see *Cal. State Papers*, Irel., 1646, p. 505.

10. SAME TO SIR CHARLES COOTE.[1]

"We have received yours of the 3rd of this month, which overtook us at Belfast the 10th of the same. We are much affected with the straits you are in for want of provisions and therefore have made a despatch to Mr Whalley and Capt. Whitworth at Chester, whom we conceive to be the men that are contracted with by the State for your supply, that they do immediately hasten unto Galway all the meal that they are bound to furnish you with, and if any of your provisions shall arrive here during our stay in these parts we will hasten them to you, and at our departure leave order for the same. As touching the 600 foot which you have written for to Col. Venables to be sent you, we are of opinion that the sending them at present will be very prejudicial to the public service, not only in respect of your wants, yourself being in want of bread for the men you have there, but also in regard that those men being sent away, there will not remain a competent force here to serve these parts, in case of any emergency from Scotland or any rising from the ill-affected inhabitants here, and also we do concur with your advice to Col. Venables in planting of garrisons at Belturbet and Ballinacargy,[2] which we look at as a service of great consequence, much conducing to the breaking of the Irish strength in those parts, and advantageous also to keep the northern men from a conjunction with the Connaught rebels; and, to the end you may be supplied with foot, we have written to Chester that the remainder of the recruits intended for Ulster may be directed to Dublin, and from thence sent to you into Connaught with more ease than they can march from hence, where there is not so much as eight days' provision of bread to be had for them to carry with them, the stores being wholly exhausted and corn not to be had in the country as we are informed; besides we understand that about 4000 foot of the new recruits are lately marched up to the Lord Deputy, from whom we conceive you may have some supply of foot till you receive more from Dublin, whither we have written to Col. Hewson to send unto you such recruits as were intended for this province, being 450, and such others as may be spared from thence, he being pretty strong in foot when we left him; and if both these means should fail you, we shall advise with Col. Venables here how to furnish you with some foot from hence.

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[1] Sir Charles Coote's father, likewise Sir Charles, came to Ireland towards the latter end of Elizabeth's reign, as a soldier of fortune. By his marriage with Dorothy, younger daughter and co-heiress of Hugh Cuffe of Cuffes Wood, co. Cork, he acquired a settled position in the country, and having been appointed Provost-Marshal and Vice-President of Connaught he displayed great activity against the Irish on the outbreak of the Rebellion. He was killed in action on 7 May 1642; but "whether by the enemy or by one of his own troopers was variously reported." (Carte, *Life of Ormond*, i, p. 243.) Sir C. Coote, who succeeded him as Provost-Marshal, was in all respects his father's son, and by adroitly following in the wake of Monck and Broghill, in paving the way for Charles II's restoration, he had the good fortune not merely to retain the immense property he had acquired in the days of his republican zeal, but to be further rewarded with the title of Earl of Mountrath, which however he did not long enjoy, dying of small-pox on 18 December 1661.

[2] O'Reilly's castle of Ballinacargy (now Carrigan), also called the Castle of Lough Oughter (Uachtar—*i.e.* the Upper Lough), stands on an artificial island

"And whereas your Lordship writes to us to send some person thither to settle the contribution of that province, we are at present putting those resolutions in execution which we took at Kilkenny, by the joint advice of the Lord Deputy and the Lieutenant General, who are both of them at a reasonable distance from your Lordship and from whom you may have advice in this particular; and when we shall understand from them or your Lordship that warrants and directions will be obeyed in that province, we shall either come over ourselves, or send some that may be entrusted in that affair. We return your Lordship thanks for that advertisement of the successes the Lord hath given you in that place, and we hope and pray that he may continue his presence with you, and if in anything we may be serviceable to your Lordship we shall be glad of the opportunity of manifesting to you how much we are your Lordship's servants.

"*P.S.*—There is a kind of an engagement upon the Lord

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at the north end of the lough, half-way between Killashandra and Belturbet. It was there that Bishop Bedell was imprisoned and Owen Roe O'Neill died.

Deputy and ourselves to send beyond sea[1] 300 prisoners, if therefore you have not disposed of the 50 prisoners you took near Galway, or that any others do fall into your hands, you shall do us a pleasure to send them to Dublin so they may be there within a month." Belfast, 11 July. *Ib.* ff. 21–2.

11. SAME TO THE GOVERNORS OF DROGHEDA[2] AND DUNDALK,[3] OR EITHER OF THEM.

"We desire you to make inquiry how true the matter is that is suggested by the bearer hereof against the inhabitants of Ardballan in the barony of Ferrard[4]; and if you find that any of the said inhabitants have given intelligence to the enemy, as is suggested, and that the bearer can direct you to the certain parties, that were the intelligencers, we desire you to seize their persons and take some course that they may be proceeded against as enemies to the State. The manner of discovering and seizing these intelligencers we leave to your own prudence and care." Belfast, 12 July. *Ib.* f. 24.

12. SAME TO COLONEL HEWSON.

"We have received late intelligence that the rebels of Ulster are gathering together in Cavan, of which we thought fit to give you notice, to the end you may the rather continue the resolutions you took before we parted with you, if service of more importance do not cause you to alter the same, as also that you may make the more haste in the work you intended before you draw towards Cavan. Upon conference with Col. Venables we have fixed upon some places in these parts, one whereof was in your own thoughts, that are most necessary to be taken in and garrisoned by our forces, but cannot be safely done without a conjunction with you, and also the help of your ordnance will be necessary to the effecting thereof, and therefore we desire your care therein, and that you make provision of bread for your own party which cannot possibly be gotten from hence. These things we recommend to your care as those wherein the advancement of the public service is highly concerned. We must likewise signify to you that those recruits yet in England which were intended for Ulster, are now, by our directions, to land at Dublin, and we desire you to send them to Sir Charles Coote into Connaught, as also any other recruits that shall land there, that you can spare, and that they be furnished with necessaries for their march, his Lordship being in want of food and having sent hither for some, from whence he cannot, with safety to these parts, be supplied. We are now going to Derry where we intend to make no long stay." Belfast, 16 July. *Ib.* p. 25.

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[1] To Spain; see below, p. 31.

[2] Col. Foulke.

[3] ? Col. Cadwalader Wynne.

[4] Co. Louth.

13. Same to the Council of State.

"Our last from this gave your Lordships an account of your affairs in Connaught, and what we then humbly conceived fit to offer to your Lordships' consideration in order to that affair; since which we have been at Londonderry, Coleraine, Carrickfergus, and other places and have taken the best account we could of your affairs there, and though, through the necessity of war, many things have formerly been in some disorder (especially as to the Revenue) yet we do find a general readiness in the officers and soldiers there to further your service. We are now settling the pay of the forces in that province for the future, of which we shall hereafter give an account. Concerning the customs and sequestrations little hath been done here in a regular way, and in the excise nothing at all; but they are now put into another posture and we hope you will find some fruit thereby after a short time.

"We find these parts mostly planted and inhabited by the Scots and some Irish, very few English being amongst them, and we have done what lies in our power to prevent all kinds of trading to Scotland from hence till affairs there be in another posture. At Coleraine on the 27th inst. we met with the sad news of the loss of the *Hind* frigate, that fell in the night upon a rock near Carrickfergus, and the ship being crazy did founder, but all her men except ten were (through God's mercy) saved with some of her tackle, masts, anchors, cables, and four guns. . . . We have heard from several hands of the activity and faithfulness of the commander of that vessel, Captain Sherwine, in your service and doubt not but there will be another ship provided for him, and we shall be glad that he may speedily return into these parts, where at present we have only the *Truelove*, who sent us word last night that he had convoyed a fleet into Dublin road, and had brought 20 tons of meal into Carlingford with some cheese for the Ulster forces, that Captain Seaman was to convey meal and provisions to Galway from Chester, and that there would be no ships left in these seas for convoy either to Waterford, Wexford, Dublin or these northern coasts, but only himself, and that he hath but thirteen days' victuals left, and yet the enemy at the Isle of Man have fourteen little vessels full of men lying about these coasts, that no vessel can stir without a convoy, of which we doubt not your Lordships will be very sensible.

"As for military affairs we can give little account from these remote parts, save what the enclosed [wanting] mention. Col. Hewson hath done his work in Wicklow by destroying all the green corn there, and was a while in Queen's County upon the like business, and is now to send 500 men to Athlone, and then he and Col. Venables is to join for attending the enemy's motions, that shall attempt either on this side the Shannon, or to pass the river between Athlone and Sligo. This last Thursday a party of the enemy met with a small convoy of 20 horse and 40 foot and cut them off, who were convoying 1200 loaves to Col. Venables' party lying about Armagh. The loss of this convoy was occasioned by the captain not observing his orders of eight miles about, being a secure way through the Moyry, where they were fallen upon by Tories that keep in those mountains, who are reported to be in number 200 horse and 300 foot, and it will be a work of time to remove them thence, the forces at present being upon more important service attending the motion of the enemy from Connaught. This, with the loss of the *Hind* frigate as abovesaid, hath been some sadness to us; but God will try and humble us; it is his hand and thereunto we submit; he can teach us also by affliction as well as by victories and deliverances. Next week we purpose to return to Dublin." Belfast, 1 Aug. *Ib.* ff. 28–30.

14. SAME TO THE LORD DEPUTY.

"There came this day to our hands letters from the

Council, a copy whereof we have here enclosed [wanting], and have returned to them the enclosed account of affairs here until a more exact account may be given after we have received your Lordship's advice. If this design [1] goes on there must be tents provided for as many as shall be employed therein. We shall give order here that an exact account may be had of all vessels and boats in these parts, which we conceive are not considerable. We intend, if the Lord permit, to be at Dublin the latter end of the next week and there to give your Excellency a further account of affairs here in these parts, and receive a signification of your pleasure in this, or any other matter your Excellency shall think fit to give us in command. The enclosed news [2] [wanting came to our hands with the packet. We have appointed Wednesday se'night for Leinster and Ulster to be a day set apart to return praise unto our gracious God for his presence with his people in the hour of trial. This happened in Scotland since the messenger came from London and it may alter the resolution of the Council at least to divert the design some other way. We have no more at present." Belfast, 1 Aug. *Ib.* f. 31.

15. SAME TO THE COMMANDER-IN-CHIEF OF THE WESTERN COASTS.

". . . We do therefore desire you to speed hither what shipping may be spared and especially to hasten Captain Johnson, who was particularly appointed to attend these parts ; for if no shipping come for that purpose, all trade will fail to the great detriment of the Commonwealth as well as of private persons, and we shall be deprived of all intelligence and disabled to give an account of our service here. So not doubting of your care in a matter of such concernment, we remain." Belfast, 1 Aug. *Ib.* f. 32.

"*P.S.*—Before the closing of this we have certain intelligence that the *Fox* frigate passed by the Bay of Carrickfergus with a ship of meal bound for Galway ; when she comes to you, we desire you to return both her and *Convert* frigate, if they can be spared, being both appointed for the guard of these coasts, where the want of them at this time is very great." *Ib*. f. 33.

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[1] The "design" was to transport a part of the forces in Ireland into Scotland to assist Cromwell in his operations against Leslie. The step, however, was rendered unnecessary by Charles' sudden march along the western coast into England, which terminated at Worcester.

[2] Evidently referring to Lambert's victory at Inverkeithing over Sir John Brown, on 20 July.

16. Same to the Council of State.

"Your Lordships' letters of 12th July by your express came to our hands at Belfast the 1st August inst., and finding the service you thereby gave us in command to be of very great importance, we have this day despatched an express with an intimation of your Lordships' pleasure to the Lord Deputy, whose advice is necessary to be first had in making provision for that expedition, for the number of forces that can be spared, which is best known to his Lordship. In the meantime we shall apply our utmost diligence in preparing such vessels, boats and other requisites as can be afforded in these parts for that service, which we fear will not be sufficient for that work without help from England. We humbly think fit to acquaint your Lordships that there is no expectation of any provision of victuals to be made here, there being not in this country bread-corn enough to feed the inhabitants, which puts your forces in these parts many times to very great straits, and your service at a stand for want of bread when supplies from England fail.

"When we came into these parts we found so many of the forces of this province as could be possibly spared drawn out for your service in Connaught under Sir Charles Coote, and that there was not a competent number left to secure the country till the recruits came over, insomuch that Sir Charles Coote at his departure thought it requisite to empower one Hamilton, a Scotsman, to raise, mount, and arm a troop of seven score of his countrymen to secure the south-east parts of the Lagan,[1] there being no other here that could be spared for the security of those parts; but upon our coming to Londonderry (having information of the man's disaffection to the Commonwealth and his great exactions upon the country, and but little confidence in his troops, being all Scots) we have ordered the said troops to be disbanded, so that all the forces in this province, besides those left to secure your considerable garrisons, being about 1300 foot and 450 horse, have been all this summer and still are in the field with Col. Venables, who is appointed to attend the motion and to prevent the designs of the enemy, whose greatest strength in this province is in the County of Cavan, to which quarters it is probable the enemy, now in the north of Connaught, will fall as soon as they are pressed upon by your forces there ; for the prevention whereof Col. Hewson is lately ordered by my Lord Deputy to join with Col. Venables, and to endeavour the reducement of that country of Cavan, which now is entirely possessed by the enemy, and hitherto never came under contribution to the Parliament.

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[1] A fertile district along the river Finn, between St Johnstown and Stranorlar, in the barony of Raphoe, co. Donegal. It was thickly planted by Scots, chiefly Cunninghames, Stewarts and Hamiltons. The Hamilton referred to was probably the lieutenant Hambleton mentioned below, p. 339.

"Your Lordships may be pleased further to understand that Sir Charles Coote (finding the forces under his command too few to lay a close siege to Galway and to attend the forces at Iar-Connaught and in the northern parts of that province) made application to Col. Hewson for further supply, who furnished him with 300 foot, and afterwards to the Lord Deputy, who sent him 1000 foot and a regiment of horse, and ordered that Col. Hewson should supply him with 500 foot more, which we conceive Col. Hewson is not in a condition to do and prosecute the service committed to his trust, unless he be enabled thereunto by the access of recruits lately come over from England. We humbly conceive it our duty to present your Lordships with this account of your affairs, that you may the better guess how far that expedition may be carried on before Limerick or Galway be reduced.

"The news of the success which God hath been pleased to give his and your servants in their passage into Fife in Scotland, coming to our hands by your express, hath much refreshed our longing spirits. The Lord fit us with hearts answerable to our God's dealing towards us. If the alteration of affairs there may occasion other resolution in your Lordships touching the said expedition from hence, we humbly desire timely advertisement thereof. If our information be true, which we received from a prisoner of ours that came lately from thence, the Isle of Man[1] is ready for a reducement to your obedience, the inhabitants being weary of their present condition, and are wishing for a time of deliverance from the power now exercised over them. Those pirates have done much mischief of late, and at present no vessel can pass in these seas without a convoy, as by our last, that was written before your Lordships' express came to us, we have given account. . . . We do not find our stay in these parts at present to be of any concernment till we hear from my Lord Deputy, and therefore shall go to Dublin, waiting there his Lordship's answer. The port that will be most fitting for the shipping the men and transportation of necessaries in order to this service will be Olderfleet,[1] not far from Carrickfergus, which is a very safe harbour for any vessel to come into, or ride in, and will be most fitting for the service either into Scotland or the Isle of Man." Belfast, 2 Aug. *Ib.* ff. 33-6.

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[1] The Isle of Man was reduced by Col. Duckenfield in October.

17. SAME TO THE LORD DEPUTY.

"We have taken a view of the condition of your forces and affairs in this province, and find the assessments (by agreement between Sir Charles Coote and the rest of the Commissioners and the country) settled until 1st November, is at a far lower rate than must of necessity be expected for the time to come, after the expiration of that agreement, for the maintenance of the forces that are left here, and we likewise find that Sir Charles Coote before his march into Connaught hath been necessitated to anticipate a great part of the assessment in the Lagan; all which hath made the Revenue here short to answer the requiries of your forces in these parts. We have settled things at present in the best posture we could, for supplying of bread to your forces and answering the most necessary payments in the first place; and understanding that £8000 is ordered by the Council to be sent hither, whereof £7000 is expected to come over in specie, we have (to prevent the issuing of it to public disadvantage) ordered that it shall not be issued out, but by order from your Lordship, or the Commissioners of Parliament, to the end that where there is most exigence or pressing necessity supply may be made thereout; but a great part of it must of necessity be suddenly issued out to supply the defect in the assessments for the pay of the forces here, and to buy corn [and] tents, and pay other necessary incidents. Sir Charles Coote hath desired that his personal pay for his two regiments may be paid here to his Lady,[1] which we shall order until further directions be given therein. We have had intimation to husband the treasury now sent over as much as may be, fearing it will be very long before further supplies come, which moved us to take this course about this parcel. . . ." Belfast, 2 Aug. *Ib.* f. 37–8.

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[1] Now Larne: the name survives in Olderfleet Castle, the ruins of which are still to be seen near the harbour.

18. SAME TO SIR HENRY VANE.

". . . We acknowledge ourselves exceedingly obliged unto you for your respect to us and great care in promoting the affairs of Ireland, especially in that of money, without which the service here would be at a stand.[2] The public affairs here will of necessity still depend upon some supply of treasure from England, until part of the forces may be disbanded and put in a way to plant the country, or the country better planted with inhabitants and stocks, neither of which can be expected these nine months at least as we fear. We have spent some time when we were last at Waterford in framing some proposals to be offered to the Parliament for satisfying the Adventurers and encouragement for planters and raising of money upon Irish lands; but the Lord Deputy and Lieutenant-General having no time to bring that debate to a result, so as to perfect the same before their going into the field, we were fain to lay them aside until we meet again. All the forces now in Ulster consist of 4303 foot and 521 horse. All the horse and 1300 foot are drawn into the field by Col. Venables, with intention to take in the strong fort of Ballinacargy in Cavan, as also to settle some garrisons there in the bowels of the enemy, as Belturbet and some others, and to attend the return of the rebels out of Connaught, that being one of the most likely places for them to retreat to whenever they shall be distressed there: 800 foot he hath appointed to draw together upon any emergency in his absence, having an eye upon the Scots, who do inhabit the greatest part of this country, and are generally disaffected. The residue of the forces are scattered in the several towns and other garrisons for the necessary defence of them and the country." Belfast, 2 Aug. *Ib.* ff. 38-9.

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[1] Sir Charles married first (about 1620) Mary, daughter and co-heiress of Sir Francis Rush of Castlejordan, co. Meath, who died 17 June 1623 (*cf.* Hardiman, *Repertory of Inquisitions*, Lagenia, 18 Jas. i and 14 Car. i). She died apparently about 1646. Her elder sister Eleanor married Sir Robert Loftus. His second wife, the lady referred to, was Jane, daughter of Sir Robert Hannay, who survived him and married Sir Robert Reading of Dublin. She died 18 Nov. 1684 and was buried in St Michan's.

[2] "No man," says Prof. Firth, "served the Commonwealth with more zeal" than Sir H. Vane. He "was elected a member of every Council of State chosen during the period, and his name is always high in the list of attendance. He was on every committee of importance." Life of Sir H. Vane, the younger, in *Dict. Natl. Biog.*

19. SAME TO LIEUTENANT-GENERAL LUDLOW.

Enclosing an account of the victory over Sir John Brown in Fifeshire and informing him of the loss of the *Hind* frigate. Belfast, 2 Aug. *Ib.* f. 43.

20. SAME TO COMMISSARY-GENERAL REYNOLDS.[1]

"We could not omit this opportunity to let you know how we are indebted unto you, for your loving remembrance of us and giving these advertisements you imparted to us, which were the more welcome to us, for that thereby we did understand how great things our great and gracious God hath done for you and our dear friends with you, which we hope and pray he will still vouchsafe to continue, to his own glory and your joy and comfort, that so we also may joy and rejoice with you therein. We have no news to impart to you here worth your knowledge, save only that these parts are quiet and there is no breaking in of the enemy into these quarters; and had we had the provisions of meal appointed for Ulster for the army, you would have heard of some action; but you know what it is to march into a waste country no further than the Brown George [2] holds out and then to return. But now we have got a little meal that will hold out a month;

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[1] John, afterwards Sir John, Reynolds came to Ireland with Venables in July 1649 and took part in the battle of Rathmines. He was appointed commissary-general of the horse in Ireland about April 1651 and was at this time with Ireton before Limerick. He was a zealous supporter of Cromwell, and was afterwards knighted by him and made Governor of Mardyke; but was drowned in crossing over to England in Dec. 1657. See Life in *Dict. Natl. Biog.*

[2] *I.e.* a brown loaf. This is an earlier instance of the use of the phrase than is quoted in the Oxford Dictionary.

and with much ado have got as much more in the country that will hold out another month, and so Col. Venables will join with Col. Hewson and do what the Lord shall direct and enable them to. . . ." Belfast, 2 Aug. *Ib.* f. 44.

21. SAME TO THE PARLIAMENT.

"The Lord Moore [1] hath been lately with us, and much importuned us either to give him a pass for England to solicit the Parliament on his own behalf, or that we would present his petition unto you. The former we did not hold fit and therefore have sent the enclosed [wanting], as well that he directed to the Parliament, as what he offered to us, unto which we shall only add that we are certainly informed from very good hands that his father was a gentleman of much honour and worth, and was slain by the Irish in your service on the head of his party. . . ." Belfast, 7 Aug. *Ib.* f. 47.

22. SAME TO SIR CHARLES COOTE.

Announcing that provisions were on the way to him and might be expected to have arrived in Galway Bay etc. "As concerning pay we do find (and we presume your Lordship well knows) that the Revenue of this province cannot possibly amount to so much as will discharge the pay of the forces here, and pay the debts contracted and charged upon the Revenue, to enable you to advance into Connaught, without very considerable supplies from England, neither do we know of any other way to supply that defect, in which respect we conceive these forces (if supplies come not from England) to be in a very hard condition ; but the wants of your Lordship's army we have presented to the Lord Deputy, who (we assure ourselves) will be sensible thereof. The orders we sent for conveying recruits to your Lordship by Dublin and

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[1] Henry, third Viscount Moore of Drogheda, created Earl of Drogheda 14 June 1661, was the eldest son of Sir Charles Moore, second viscount, who was killed at Portlester on 11 Sept. 1643, in an engagement against Owen Roe O'Neill—"a most noble and worthy person," says Clogy (*Life of Bishop Bedell*, p. 177)—"valiant for the truth, and exceeding bountiful to the soldiers for their encouragement." Owing to his delinquency at a time when Ireland was almost wholly under Ormond's control, Henry had run the risk of forfeiting his estate. His petition bore on this point. For documents relating to his case see *Cal. State Papers*, Irel. 1647-1660, pp. 668-670.

Athlone, we conceive was the best course that we could take therein, there being here neither provision nor arms for them nor any way open for the conveying of them to Connaught, without stronger convoys than could be had here. We think fit to acquaint your Lordship that we cannot discern any indisposition in the officers here to engage in the service they have in charge, yet if your Lordship had been pleased to communicate unto us those reasons, which you mention as inducements to the contrary, it would have been some light unto us to inquire further into that matter. We have formerly intimated to you that, as to the settlement of the Province of Connaught, while the Parliament's armies are in the field, and the enemy so powerful in the country, our presence there would signify little, and that it is more proper for the Lord Deputy to give order for management of affairs, while it continues in that posture, than for us; and, in case the Lord Deputy do not give any order therein, we are of opinion that, if your Lordship (with the advice of the Council of War) do lay a contribution on the province, that may relieve and support your forces till November next, before which time we hope the Lord Deputy and Lieutenant-General with ourselves shall consider of such a tax as is fit to be laid on that province, in proportion with other parts of this nation, for and towards the pay of the army.

"A party of 20 horse and 40 foot, going from Dundalk to the army about Armagh to convoy bread to them, was lately cut off in the field by the enemy, and the bread lost through the unadvisedness of the officer not observing his directions. Col. Venables is now marched towards the Fews,[1] to fall on that party of the enemy and clear those parts, and intends from thence immediately to march with his whole party to Ballinacargy and Belturbet, where he expects to meet Col. Hewson, by whose assistance, with God's blessing, those parts may be reduced and secured to the Parliament, and we hope will also conduce to the diversion of some of the forces now gathered together in Connaught to oppose the Parliament's forces there, which is all at present." Belfast, 8 Aug. *Ib.* f. 48-51.

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[1] The Fews (Fiodh—*i.e.* a wood) was a district in the south of co. Armagh, originally in the possession of the O'Neills. The name is preserved in the barony of Upper Fews.

23. SAME TO CHARLES WHALLEY TO BE COMMUNICATED TO CAPTAIN WHITWORTH.

". . . We understand that Captain Whitworth sent lately to Carlingford 22 tons of meal, as he calls it; but, upon the receiving of it by the Commissary, it proved not full 14 tons, and that he shipped 50 tons for Galway, and it may be that may come to the like account. Can you or he think that it is for the State's advantage to be thus used, or do not you daily see the prejudice the Commonwealth suffers by the pirates of the Isle of Man, upon the absence of their shipping necessarily employed to convoy every vessel of meal, whenas one ship would at one time have convoyed all that was necessary to be sent into Connaught. . . ." Belfast, 10 Aug. *Ib.* f. 53.

24. SAME TO COLONEL VENABLES.

". . . We do now advise you to hasten what you can to conjoin with Col. Hewson, or to do the utmost that God by his providence shall lead you unto, that may either divert the enemy or give assistance to Col. Hewson. Let him understand where you are and of your motions. We have no certain news from England. . . ." It is reported that 10,000 Scots have made forced marches into England. 16 Aug. *Ib.* f. 61.

25. SAME TO THE COUNCIL OF STATE.

Regarding quantities of counterfeited and clipt coin imported into Ireland and the capture of one Christopher Jones on his way to England, who was pardoned to induce him to reveal the names of his accomplices. 19 Aug. *Ib.* f. 65.

26. SAME TO THE COUNCIL OF STATE.

"Our last from Belfast gave an account of the receipt of your Lordships' to us concerning the design in Scotland and of our disability in these parts to perform that service, but that we had sent to my Lord Deputy for what forces could be spared from other parts, of which we have as yet no return and so cannot yet give any further account, only we do observe that, since your Lordships' letters to us and our answer sent thereunto, it hath pleased the Lord (who doth whatsoever pleaseth Him amongst the nations of the world) to have done great things in England, the issue of which is as yet altogether unknown unto us. And as for your affairs in Ireland we did verily hope ere this time we should have sent you other manner of tidings, and we hope that God, who is our hope and strength, will let us see that it is best for us to be as we are. Your affairs in Connaught you may discern in what posture they were lately by this enclosed Christian letter [wanting] from the Lord Deputy. Neither have we heard of any action of concernment done there since, worthy your Lordships' knowledge, save that my Lord Deputy hath called to his assistance many of your forces that were left behind to secure garrisons and the quarters under protection, as Sir Theophilus Jones, Col. Hewson, Col. Venables, and we do believe Col. Sankey[1] and his party, so as in their absence the Tories and enemy left behind do spoil and much damage, and some garrisons they have surprised, as Raghreah[2] a pass over the Shannon, the castle of Kilkea,[3] within six miles of Carlow, an island castle, but not near any river, but a very good horse quarter, also Mount Grange[4] upon the Barrow. They have driven away the preys and cattle from the gates of many garrisons, and some castles and garrisons in Leinster are in some danger; but, we have no forces to send to them for their relief. Scurlock,[1] that doth command a considerable party of the enemy, hath lately been with his body, computed to be 2000 foot and 400 horse, within six miles of this town. We have only a troop of horse that belong to the army and a company of foot for the castle; but for the securing of the line we have no other guard but the citizens of this city. We are about to raise a troop of volunteers to give some countenance and assistance to the small party left here. And to all this it hath pleased God to continue the sickness, which of late is somewhat increased. Last week there died 50, whereof 40 of the plague. . . ." 21 Aug. *Ib.* ff. 66-7.

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[1] Colonel Hierome Sankey, or Zanchey, sometime a proctor in the University of Oxford, is said by Wood (*Fasti Oxon.*) to have been educated at Cambridge; but "more fit in all respects to be a rude soldier than a scholar or man of polite parts. In the beginning of the Rebellion he threw off his gown and took up arms for the Parliament." Coming to Ireland with Cromwell, by whom he was charged with the relief of Passage in Dec. 1649 (Carlyle, *Cromwell's Letters*, ii, p. 196. Ed. 1871), he was wounded at the capture of Dundrum Castle in March the following year; but had sufficiently recovered in May to head the storming party in the disastrous attack on Clonmel. He was appointed Governor of Clonmel Precinct, and is said to have treated the Irish with the utmost severity (Ludlow, *Memoirs*, i, 261, 322). He was afterwards involved in a lively controversy with Dr William Petty, whom he charged with fraud in the allocation of lands, which in his case much resembled pot calling pan black (Petty's *Down Survey*. Ed. Larcom, ch. xviii). He went to England in 1659 in command of the Irish Brigade and subsequently tried to arrange matters between Lambert and Monck. He was the founder of the family of Sankey of Coolmore, co. Tipperary.

[2] Rachra, now Shannon Bridge in King's County, where a more modern castle stands on the site of the old one.

[3] Kilkea Castle is in co. Kildare, in the barony of Kilkea and Moone.

[4] Called Monksgrange below, p. 37, which lies to the west of Kilkea, in Queen's County.

27. Ordered by the Commissioners that Thursday, 25 Aug. be kept as a day of solemn fast on account of the plague and other disasters. 21 Aug. Orders A/82. 42. f. 3.

28. THE COMMISSIONERS TO THE COMMITTEE OF THE COUNCIL OF STATE FOR IRISH AFFAIRS.

"We received yours of 5th August and, according to your commands therein, have sent enclosed [wanting] the names of such persons as deserve (by the best inquiry we can make here) to stand excepted from pardon for life,[2] the names of some of whom we have by two former letters sent to the Council of State; and from the invitation of your said letter to signify what we think fit to be offered further concerning any particular of the Qualifications in relation to the present condition of affairs here,[3] we offer to your consideration that the 7th Qualification, concerning such as shall lay down arms etc., be so worded that the Lord Deputy-General shall have power to hold forth such a Qualification to such only of them as he shall think fit ; because the state of affairs as to that particular Qualification is much changed since the time the Qualifications were first agreed on and presented ; for then there appeared much difficulty of our entering Connaught, and this Qualification was propounded as an inducement to a general laying down of arms and surrendering of garrisons by the enemy. But the Qualification we humbly conceive may now be too large, in positive pardoning such who shall hold out garrisons and places of fastness to the last, who for the most part are the most pernicious persons of all the nation ; and therefore it is humbly offered, that leaving out the first words in the said Qualification, it may run thus—[That the Deputy-General of Ireland have power to declare that such person and persons as he shall judge capable of the Parliament's mercy not being comprehended in any of the former Qualifications] etc. *prout sequitur* in 7th Qualification. We likewise offer to your consideration the enclosed [wanting] branch to be added as a distinct Qualification, and to be placed as the 5th[1] that so none who are guilty of blood may be acquitted by the 9th Qualification, the same clause being already published by the Lord Deputy and the Commissioners according to the enclosed [wanting] printed paper." 25 Aug. 1651. Domestic Corresp. A/87. 49. f. 68.

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[1] Captain, afterwards Colonel, Thomas Scurlock was the eldest son of Patrick Scurlock of Rathcredan, co. Dublin, who together with Sir John Dungan represented the borough of Newcastle, co. Dublin, in Parliament in 1634. He served during the war as lieutenant in the Earl of Fingall's regiment on the side of the Confederates, was taken prisoner by Ormond and exchanged. He adhered to the peace of 1648[-9] and, as the documents here printed show, played a prominent part in the war against the Commonwealth. He was to have been included in the Articles of Kilkenny (p. 186); but as his name is not subsequently mentioned it is likely that he died about this time. His estate at Rathcredan was allotted to John Jones, one of the Commissioners of the Parliament; but at the Restoration was claimed and apparently recovered by his brother, Martin (*Cal. Fiants*, Eliz. Nos. 845, 1223, 6321; *Cal. State Papers*, Irel., 1633-1647, pp. 63, 640, 655; *ib.* 1660-1662, pp. 51, 127). The name sometimes appears as Scurlog; but should not be confounded with Sherlock.

[2] There is a copy of the list of persons excepted from pardon for life in Egerton MS. 1048, No. 47; and of course in the Act of Settlement.

[3] This letter is interesting as showing that the idea of Qualifications was of an earlier date than Gardiner (Transplantation to Connaught, in *Eng. Hist. Review*, Oct. 1899) imagined. The fact is, the whole question of Qualifications,

29. SAME TO COLONEL LAWRENCE.[2]

"We return you and the rest of the Commissioners our

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or the terms on which the Irish were to be received to mercy, had been discussed and settled by the Commissioners at their meeting with Ireton at Waterford in Jan.-Feb. 1651. It is evident that the difficulty presented by the Shannon had inclined them to offer more liberal terms than appeared necessary a month or two later. A comparison of the suggestions contained in this letter with the Act of Settlement of 12 Aug. 1652 (Firth and Rait, *Acts and Ordinances*, ii, pp. 598-603) shows that they were adopted. For a copy of the Qualifications see Egerton MS. 1048, No. 46.

[1] Excepting from pardon for life and estate those who did not within twenty-eight days lay down their arms.

[2] Colonel Richard Lawrence, governor at this time of the Precinct of Waterford, came to Ireland with Cromwell. He was appointed one of the Commissioners to arrange the Articles of Kilkenny in 1652 ; but is best known by his controversy with Vincent Gookin as to the advisability of a wholesale transplantation of the Irish into Connaught. See his pamphlet, *The Interest of England in the Irish Transplantation stated etc.*, Lond., 9 March 1654/5, and Life in *Dict. Natl. Biog.* Henry Lawrence, Lord President of the Council, was his brother.

acknowledgment of your care in the management of the affairs committed to you. We have examined the matter concerning the false coin you sent hither, and have transmitted the same with your letters to the Council. We hope it will produce some good effect. The gold we find to be silver cased, and the silver, upon assay made here, is reported to be sixpence in the piece less than the standard, and if the rest you stayed have no more alloy in them, we conceive it too great a prejudice to particular persons (who are innocent) to have them stopped in their hands, besides the general prejudice which at this time may ensue by stopping such money in pay, while the country is so full of them, and so little of other money stirring. If any of these pieces of eight be yet remaining in the hands of Machyn, or any other who have bought them at easy rates in England, and brought them over hither for their own advantage, we think it not fit that they be permitted to put them off but at the intrinsic value; and, if the Treasurer hath put off any such pieces, we think fit that he be examined at what value he hath put them off, that so he may be answerable for the profit; and that Machyn be kept in prison till the principals in England be taken, or further order from the Council of State or ourselves given. . . ." 25 Aug. *Ib.* f. 69.

30. SAME TO THE COUNCIL OF STATE.

". . . As to your affairs here at present we are under many difficulties. The two great towns of Limerick and Galway do still hold out, and my Lord Deputy and Sir Charles Coote have drawn away many of your forces that were left behind to secure the other parts of this nation, which we believe is done out of necessity to carry on the great work there; but during this time the quarters in Ulster and Leinster are in great straits and hazards, and some castles and garrisons have been lately surprised, as we gave account in our last; and by the plunder and spoil made by the enemy in our quarters the contributions are much lessened, whereby our soldiers should be paid, and by reason of the lengthening of the work in Connaught and the contribution taken by the enemy in our quarters, and the continued taking of preys and driving away cattle even from the gates of our garrisons, we cannot see but the former supply of £2000 *per mensem* out of England must be continued for some time longer, or else your forces here must be put into confusion and to a desperate condition; but after Connaught is reduced and the quarters in other parts secured we hope that charge will lessen in good measure. . . ." 27 Aug. *Ib.* f. 71.

31. Ordered by the Commissioners that Nicholas Fitzyeomans be set at liberty in order to raise forty or fifty able men to be transported by Capt. Richard Wiltshire into Spain. Aug. 27. Orders A/82. 42. f. 4.

32. THE COMMISSIONERS TO COLONEL VENABLES.

Provisions only require convoy in order to be sent to Trim: the plague still at Dundalk. 28 Aug. Domestic Corresp. A/89. 49. f. 77.

33. SAME TO THE GOVERNOR OF WEXFORD.[1]

"Finding, by several intelligences from all parts, that the enemy, being dispersed in Connaught, are come towards the south of [the] Shannon, and have their design either to relieve Limerick or to make some attempt on this side the Shannon, Col. Venables is conjoined with Col. Hewson to attend about Athlone. Col. Sankey, with your party, to prosecute Fitzpatrick.[2] Scurlock, and his party of about

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[1] Colonel George Cooke.

[2] Colonel John Fitzpatrick was the son of Florence Fitzpatrick of Castletown, Queen's County, and Bridget Darcy of Platin, co. Meath. His father played a prominent part in the Rebellion and was excepted from pardon for life and estate. The manner of his death is recorded below (p. 258). Of his mother it is recorded by Ludlow (*Memoirs*, i, p. 340) that she was charged with murdering the English "with this aggravation that she said she would make candles of their fat." Being found guilty by the High Court of Justice in 1653 "she was condemned to be burnt, and the sentence was executed accordingly." John joined the Confederate army and adhered to the peace of 1648/9. He was an active and enterprising officer and caused much trouble to the Commissioners of Parliament; but he was one of the first to recognise the hopelessness of the struggle, and came in on terms on 7 March 1652 (see below, p. 151). According to his own account (see his petition in *Cal. State Papers*, Irel., 1660-1662, p. 79), his submission entitled him to the retention of his estates; but being "restless of subjection to that usurped power did together with 4000 of his soldiers transport himself into Spain." He returned to Ireland at the Restoration and with Ormond's assistance got a special proviso inserted in the Act of Settlement for the restoration of his estate as his father had possessed it on 22 Oct. 1641 (*ib.* 1663-1665, p. 236). He married Elizabeth, fourth daughter of Thomas, Viscount Thurles, sister of the Duke of Ormond and widow of James Purcell, titular Baron of Loughmoe. He was included in James II's general act of attainder and died in 1693.

150 horse, yesterday took a great prey within a mile of this town, and hath taken sixty several horse, and the party that went hence to rescue them were repulsed with loss—25 killed and 22 prisoners. The particulars you will hear by these bearers. We shall desire you, according to former orders sent you, that you be vigilant to attend the motions of the enemy and to prosecute the orders you have received from my Lord Deputy. We, hearing that you were lately returned to Wexford with your party, held it our duty to give you advertisement of the present danger, that the several garrisons and quarters within Leinster are in, especially at this present in the absence of our forces, the enemy being heightened and much strengthened by this late attempt on this place. We hear, by the prisoners that were sent from the enemy, that they have 500 horse in Leinster and 1500 foot, and they look for Sir Walter Dungan [1] out of Connaught." 2 Sept.

"*P.S.*—Since the writing hereof we are credibly informed that Dungan is within ten miles of this place at Maynooth." *Ib.* f. 83.

34. Ordered by the Commissioners that, because Scurlock has seized several persons belonging to Dublin in order to exact ransom, Lady Dungan, Miles Power and others at Castletown be arrested. 2 Sept. Orders A/82. 42. f. 9.

35. Ordered that, considering the state of affairs at Dublin, all train-bands and other inhabitants of the city, who are charged with horse or arms, do forthwith prepare their respective horses, and all persons able to bear arms do immediately provide serviceable arms for themselves, sons, and servants to defend the city against any attempt on it. 2 Sept. *Ib.* f. 10.

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[1] Sir Walter Dungan, or Dongan, was the eldest son and heir of Sir John Dongan of Castletown, co. Kildare, who with Patrick Scurlock represented Newcastle in Parliament in 1634. On the outbreak of the Rebellion his house was burned by the rebels and he and his family were compelled to take refuge in Dublin. He and Walter crossed over to England to testify to their loyalty and returning to Ireland served under Ormond. Sir John died about 1649, and Sir Walter was appointed Commissary-General of the Irish Horse. He played an active part in the war; was appointed a Commissioner to arrange the Articles of Kilkenny and retired to Spain. (*Cf.* Thurloe, *State Papers*, iv, p. 628.) He died abroad and was succeeded by his brother William, who, on the Restoration, claimed and recovered the family estates; was created Viscount Dongan and afterwards Earl of Limerick. He sat in James' Parliament, but was killed at the battle of the Boyne. *Cal. State Papers*, Irel., 1660-1662, pp. 50, 262; Ludlow, *Memoirs*, i, 315; D'Alton, *King James' Army List*, p. 261.

36. THE COMMISSIONERS TO COLONEL HEWSON.

"The present posture and condition of this city and the garrisons in Leinster is best known to yourself, and in what danger they are in, either to relieve themselves or send any succour to any castle or garrison, in case any enemy make any attempt upon them. A sad ensample we had yesterday by a party of the enemy from Wicklow mountains under Scurlock, consisting of about 150 horse and some 30 foot, who came to drive away the cows, horse, and cattle, that were grazing at Baggotrath, within a mile of this town; and upon the notice thereof Captain Howlett[1] drew forth with what forces could be raised of his own troop, the new raised troop of auxiliaries within this city, and some part of Captain Ward's troop, in all not inferior in number to the enemy; but the enemy fell upon such of them as pursued closely and did worst them. Captain Howlett came off wounded, we hope not mortal, 25 slain at the place, 21 taken prisoners; but are since returned on their parole, and not a few men in the pursuit cut and wounded. The number of horse taken by them is a great loss to us, and a greater advantage to them. We fear they have no less than 100 horse, 60 whereof are very good and serviceable horses. We see 'tis not our number or strength or cause that will do our work, if the Lord our God and his gracious assisting presence be not also with us. The good Lord teach us to make a good use of this sad stroke now upon us!

"By this blow our little outward strength we had is much weakened, and what to do if any further attempt should be made on this city or any garrison in Leinster we know not. We are credibly informed that the party of the enemy in Leinster is in all 500 horse and 1500 foot, before this additional strength they got by this our loss, and they are in expectation of the additional strength of Sir W. Dungan and his party, and then we or some of your garrisons must expect some attempt. In the meantime they are settling the contribution within Leinster to encourage their own party. We know the necessity of your conjunction and being in a body about Athlone, where you find the forces of the enemy to gather, and we hope you will not fall to any work at Galway in hopes to recover that place with the hazard of the loss of this city and these garrisons. We do not understand how such counsels may consist with the interest of England in these parts, from whence they must expect their infesting, being nearest to them, and Galway and those parts further from them, either to be relieved by them, or whence any enemy may come to them, if there be any likelihood of any sudden engagement between you, and the several parties with you against the enemy. We know 'tis best for you to hold your conjunction and not to divide; but, if that be not for you, we hope your party with Sir Theophilus Jones and Col. Venables, with the moving bodies with Commissary-General Reynolds and those with him, may spare some foot and horse to come hither, that we may be in some posture to defend ourselves, and relieve our Leinster garrisons, as they shall be in any strait; but at present we cannot either relieve ourselves, having no men competent or fitting to defend our line against an enemy, much less to send any relief or succour to any of the garrisons. We know not in what condition you are in, and therefore cannot advise at this distance; but do pray you to be sensible of our condition and what loss it may be to England if this place, Drogheda, Ross, or any other of the garrisons upon the great rivers should be lost.

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[1] Perhaps to be identified with Capt. William Hewlet. If so, he recovered from his wound and survived till 1667, when he was hanged for his share in the execution of Charles I. *Cal. State Papers*, Irel., 1667, p. 488 and cf. *Hist MSS. Comm.*, 8th Rept., App., pp. 502, 512.

"We hear Col. Cooke with his party are returned to Wexford. We have sent to him and advised to draw forth again and pursue his last orders from my Lord, which was to join with Sankey on attending Fitzpatrick and the enemy in those parts. Upon consideration of your weakness of body to attend field service as formerly, and indeed of the great want we have of you, both for counsel and action here, we are of opinion it were very fitting you did come to this place, where there is no little want of you to these ends, and to that purpose have written to my Lord Deputy and do hereby signify the same to you.

"As for news out of England the last we had we send you herewith [wanting], and a copy of Digby's[1] letter to

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[1] General Sir John Digby: died 1652.

Clanricarde,[1] which Digby is brother to Lord George Digby, and follows his steps in upholding their party with lies and falsehood, which is still their refuge, as you may well perceive by that letter. The mischance he mentions in his letter that befel the frigate, that should have carried him to France, was that, when the Lord of Derby[2] landed, the country people did fire three of his frigates and vessels that transported his men, and amongst others Cotterell, that old pirate, is taken by the country people as prisoner, as we hear. The troops of Captain Pemberton and Captain Alland[3] (lying at Maynooth till they should receive further orders) had an alarm that Dungan and his party were to be about Maynooth on Tuesday night, and hearing of our loss here at Dublin, they came to us yesterday and are now in and about this city, and, as we have intelligence, they shall move. The bread could not be gotten ready till this day. If Col. Venables be not with you, send the enclosed [wanting] to him with the news from England, if he know it not already. You may break open the enclosed to him and seal it again before you send it to him. We hope you will consider of the sad condition of this place and garrisons in these parts and remember us also in your prayers. . . ." 3 Sept. Domestic Corresp. A/89. 49. ff. 84-7.

37. SAME TO THE LORD DEPUTY.

"We have received since our return from the north three letters from your Lordship, to all which, having this opportunity (which we have long waited for) we return you this account. Your first was of 5th July, touching a pension to be settled on Major Walker's wife, your Lordship's Ensign's wife and Mrs Saul; all which we have settled according to your Lordship's intimation, as may appear by the enclosed orders [wanting]. We desire the blanks therein may be filled up and the same conveyed to the several persons.

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[1] Ulick Burke, fifth earl of Clanricarde, born in 1604, was a consistent supporter of the royalist cause in Ireland, and when Ormond retired from the Government in Dec. 1650 he transferred his powers to him as Lord Deputy; but his authority was not generally acknowledged by the Irish, especially the clerical party, who were anxious to enlist the assistance of the Duke of Lorraine on conditions which he refused to approve. He was excepted by name from pardon for life and estate in the Act of Settlement of 12 Aug. 1652; but afterwards came to terms with the Government, and being allowed to transport himself to England he died at his house at Summerhill in Kent in July 1657. His *Memoirs* are a valuable source of information for the war and particularly as regards the negotiations with the Duke of Lorraine in 1651.

[2] James Stanley, seventh Earl of Derby, known as the "martyr earl."

[3] Captain Henry Alland, of Col. Pretty's regiment of horse, disbanded in Sept. 1655 and allotted lands in co. Waterford (Prendergast, *Cromwellian Settlement*, p. 218), was one of the few officers who remained faithful to Ludlow, who appointed him Governor of Passage in 1659. He was arrested at a conventicle at Dublin in Nov. 1662, at the same time as Major-General John Desborough, on a charge of plotting against the Government. *Cal. State Papers*, Irel., 1660-1662, p. 617.

"Your second was of 12th July, touching pay for the forces in the Precinct of Wexford. Touching which, we answer that, before our going into Ulster, we had estimated the charge of the pay for the forces to be maintained there, viz. 14 foot companies, consisting of 100 in each, besides officers and 3 troops of horse, viz. Col. Cooke's troop, consisting of 100 troops besides officers, Captain Bolton's [1] and Captain Towgood's,[2] consisting each of 80 besides officers; the charge of whom, with 40 dragoons, staff officers, baggage, horse drivers, muster master, commissary of provisions and stores, and five gunners, came to *per mensem*, at 3s. 3d. each foot soldier, and 7s. 3d. to each trooper, in money and bread £1845. 15. 8; towards payment of which was assessed on the County of Wexford £1500 and on part of Wicklow £250; which assessment came short to answer the charge £95 *per mensem*. To supply which defect, and what else might fall short in some wasted baronies, we assigned £400 a month (for two months) to be paid by Mr Standish [3] out of the London treasury, £400 whereof, we understand, hath been received by them. But if the 14 foot companies be recruited, as your Lordship's letter seems to advise they should, to 120 in a company, it will amount the charge to £182 *per mensem* more, which in all makes £2027. 15. 8; towards which, if but £900 be raised out of the County of Wexford and about £450 in bread and cheese, at ninepence bread and sixpence cheese, as your Lordship hath ordered them allowance of, there will be wanting to pay up those forces £677. 15. 8, *per mensem*, which we know not how otherwise will be supplied than out of the treasury that comes from England. We have the last week sent to Wexford for their present supply £300 out of the receipts of customs at Dublin, which, when £1000 more is paid for corn, provisions and other incidents concerning the army, and for which we have this day given our order for payment of, there will remain in the treasury here but (as may appear under the Treasurer's hand herewith sent) £100. And, that your Lordship may better judge how little possibility there is of supplying the defects at Wexford from this place, we have, enclosed [wanting], sent also the state of the Revenue and charge in this precinct faithfully and exactly so far as we can at present come to the certain knowledge of particulars. You will likewise find by a paper enclosed [wanting] what a small proportion of the cash from England is appointed for this place and upon what consideration the alteration was made, and yet that proportion is not fully transmitted hither.

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[1] Captain William Bolton of Col. Pretty's regiment of horse disbanded in Sept. 1655. The estate of Mount Bolton obtained by him in settlement of his arrears is situated about ten miles from Waterford.

[2] Captain Sampson Towgood, apparently of a Somersetshire family, acquired, in addition to the estate of Tibraghny, or Tyburoughny in co. Kilkenny, considerable property in New Ross and Cork. He belonged to the Coote-Broghill party and signed the letter reproaching Ludlow with his behaviour at the eve of the Restoration. (Ludlow, *Memoirs*, ii, 455.) In 1663 he married Anne Hall, and died in 1670. His property passed to his brother George of Ballincolla (co. Cork), near Castletown, who, dying about 1680, left a son, Sampson of Kilcolman, who died in April 1693. The Towgoods were related by marriage to the Gookins.

[3] James Standish, Deputy Treasurer for the Army in Ireland. "I think," wrote Fleetwood in a letter recommending Standish to the attention of Secretary Thurloe (*State Papers*, iii, p. 445), "I may say with much confidence, that there was never any person served a State with greater faithfulness and good husbandry than himself." Standish acquired certain lands in co. Kildare by purchase, and was confirmed in the possession of them by special order of Charles II.

"The drawing of Col. Hewson with all his forces so far towards Connaught hath given an opportunity to the enemy in these quarters to grow numerous, and bold insomuch that about fourteen days since they have surprised Kilkea and Monk's Grange upon the Barrow. Scurlock, having the command of the forces in Wicklow and those parts, is grown of considerable strength, reported to have under his command in Leinster 500 horse and 1500 foot, and no force at all left to oppose him, but Capt. Howlett, commanding Col. Hewson's troop, which, although it goes for 150 horse, hath not in it 80 serviceable horses. The sense of our weakness here hath led us to order the enlisting of all the able horse we have in town (being about 100), and to form them into a troop for the strengthening of guards within the town, we having none but townsmen (and most of them very unfit and careless) to keep the town. This our weak posture and condition being well known to the enemy, produced a sad effect on the last Lord's Day, when, about noon, Scurlock, with about 150 horse and 30 fire-locks, came to Ring's End and Baggotrath, and preyed all the cattle in these grounds, and amongst the rest all the draught oxen and many horses, whereof 28 horses were belonging to a commanded party sent the night before by Col. Hewson, for a convoy to some provisions which he writ for. For the recovery of the prey Capt. Howlett got 30 or 40 of his men together, with which and about 40 more of the town horse he pursued five miles, and there the enemy (having chosen their ground and had full view of his strength) engaged, and [he] was immediately worsted, himself wounded in the head and back; Capt. Sankey, who was with him, taken prisoner with 22 more, 25 slain, about 100 horses in the fight and prey lost and above 120 cows and oxen. He [Scurlock] gave Capt. Sankey and all the soldiers taken their parole for ten days; but the townsmen he keeps to ransom.

"Last night Major Pemberton's, Capt. Ward's and Capt. Alland's troops (being come to Maynooth to stay there till the convoy came to them) came to this town upon intelligence that Dungan, with 800 horse and 4000 foot was come into those quarters, and was to be at Castletown within two miles of Maynooth that night. What truth may be in this report we cannot yet judge; but we find that the enemy's spirits are so heightened in these parts that the contributions in all these quarters will be wholly lost, and the garrisons endangered unless some considerable force be in these parts to disperse them. We understand that Col. Hewson is very infirm in health and unable to bear those marches, which will be requisite in prosecuting the service in the field, and his presence and advice here would be very useful, which we humbly offer to your Lordship's consideration. We give your Lordship also an account that we have, in all places where we have yet been, left a dormant warrant in the hands of the Chief Governors or Commissioners of the Revenue, for the respective Treasurers' payment, out of the receipts of custom or excise [of] such sums of money for fortifications, intelligence and other incidents, as, upon advice with the said Governors and Commissioners, we conceived would be necessary at present; and the like order for £200 was left with Col. Sankey, as we also had done at Waterford, Wexford, Kilkenny, Carlow etc., and have by the enclosed order granted £300 more, as we shall be ready to do to other places upon intimation from the respective Governors or Commissioners of their respective wants.

"Having presented your Lordship with the present condition of this precinct we thought fit in the next place to trouble you with the state of your affairs in Ulster, which you will find (so far as they came to our knowledge upon the place) set down in the paper enclosed [wanting].

"Your Lordship's third letter was of 23rd August, wherein you gave us great cause to return our most humble thanks for the very exact relation therein sent us, of the present condition of affairs in the parts near your Lordship, and of your sense and apprehension of the overtures made by the Council, in order to a northern expedition, which we shall take the boldness to present to the Council in your Lordship's own language, which indeed will admit no variation to advantage, and doubtless will be very satisfactory in all the particulars, that design being now probably laid aside by a special hand of Divine Providence changing the scene and stage of the war (we hope) in much mercy and love to his people, and in order to set a period to their troubles and their adversaries' power, however to bring his glorious purposes to pass. The enclosed papers [wanting] will inform your Lordship of the last news we received from England. We are in daily expectation of further news from thence, which we shall endeavour to have conveyed to your Lordship as soon as it comes to our hands. Col. Monck commands in chief in Scotland, being Lieut.-General of the Ordnance. St Johnstoun was delivered unto the Lord Lieutenant before he came away and Monck is in Stirling town, and planted his guns upon the church to play against the castles. The sickness hath been very much in this town. Fifty and sixty died weekly for many weeks past: it now begins to abate. Captain Wilsheer died four days since of a surfeit with eating fresh herrings. His partners will be much prejudiced by a bargain he made to procure and deliver in Spain 300 men, if the merchant can fasten it upon them, there being no way found here to furnish him with so many men. The enclosed paper [wanting] is a copy of a letter intercepted three days since coming from the Isle of Man from Digby or Dives[1] to Clanricarde. We have sent enclosed a character [*i.e.* cypher] to be made use of between your Lordship and us if occasion require. The affairs in Ireland seem at present to be attended with many difficulties, the enemy growing numerous in very many quarters notwithstanding the many victories God hath given your forces against them, by reason whereof the contributions in most places in Ireland fall short of answering the charge of the forces appointed to be paid in the respective precincts; the treasury from England slow in coming over to answer these defects; nor much to be expected thence as things now stand. Our hope is in God that through his grace the deliverance of his people from this trade of war is near at hand, and that the power of these men of blood draws to an end. His merciful dispensations to his servants are the more sweet and apparent when they break through straits and difficulties. The Lord, that hath made you faithful to carry on his work, fill you with his wisdom, and arm you with his power to finish the same to the honour of his name and comfort of his people." 3 Sept. *Ib.* ff. 91-7.

38. SAME TO THE COMMISSIONERS AT BELFAST.[2]

"Having received letters from Col. Venables, expressing his desire and offering his advice, that it would be of much

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[1] Sir Lewis Dives or Dyve (1599-1669), a well-known royalist agent, was the son of John Dyve of Bromham, Bedfordshire, and Beatrix, daughter of Charles Walcot, who afterwards married John Digby, first Earl of Bristol. Pepys says that he was a great gambler in his time and tells a "pretty story" of his escape after Charles' execution (*Diary*, Ed. Wheatley, vii, 228, 262) which is confirmed in the main point by Ludlow (*Memoirs*, i, 220). He served in Ireland under Ormond in 1650, and a letter of his describing the siege of Clonmel is printed in Gilbert, *Contemp. Hist. of Affairs*, ii, p. 410. See his Life in *Dict. Natl. Biog.*

[2] The Commissioners were Cols. Venables, Arthur Hill, Robert Barrow, James Traill, Tobias Norris and Major George Rawdon. For Venables see p. 12.

Colonel Arthur Hill, the younger son of Moses Hill (from whom the Earls of Hillsborough descend), was born in 1600. On the death of his nephew Francis, son of his elder brother Peter, in 1637, he succeeded to the large family estates in co. Down and Antrim. He raised a loyalist regiment at the outbreak of the Rebellion in 1641, refused to take the Covenant and continued to serve under the Parliament; but afterwards used his influence to support the Restoration. See Life in *Dict. Natl. Biog.*

Col. Robert Barrow, apparently of an Oxfordshire family, came to Ireland in 1649 as Lt.-colonel in Venables' regiment. He is described by Adair (*True Narrative*, pp. 207-208) as an Anabaptist and a strong opponent of Presbyterianism, but "not of a malicious disposition." He acquired a £150 adventure from one Wm. Brisby, salter, of London, which was satisfied with lands in the barony of Ards, co. Down, belonging to William Montgomery of advantage to the public service that some of your number were constantly residing in the field with the forces, for the better ordering of affairs there, which for several reasons we conceive advisable, and for that and other reasons, we thought fit to add this bearer Sir George Blundell[1] to your number, who we hope will be very diligent and serviceable

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Rosemount; but he was induced to surrender his claim by Henry Cromwell on receiving payment of the debt. (*Cal. State Papers.* Irel., 1647-1660, pp. 481, 534; Hill, *Montgomery MSS.*, p. 203 *sqq.*) In 1659 he played a prominent part as negotiator between Ludlow and Monck and the army leaders in Ireland. Ludlow, *Memoirs*, ii, pp. 128, 129, 136, 141, 159, 176.

Lt.-Col. James Traill, "a very learned and religious master," had been tutor and travelling companion to James Hamilton, second Viscount Claneboy, on the Continent in 1633-1635. He served in Lord Claneboy's regiment, receiving a commission as Captain of Foot from the Parliament in April 1648. He was a man of great probity of character and much trusted by the Government in the matter of the assessments. He seems to have acquired a small estate in the neighbourhood of Larne and was one of the executors of Lord Claneboy's will. Lowry, *Hamilton MSS.*, pp. 40-42, 84; *Cal. State Papers*, Irel., 1633-1647, pp. 392, 611; *ib.* 1847-1860, pp. 12, 383, 661.

Tobias Norris apparently of Newcastle, co. Down, was on the outbreak of the Rebellion employed by the Lords Justices in providing clothes for the army in Ulster. He invested all his money (£3336) in his business, was appointed Commissary at Belfast for victualling the army in Ulster in Aug. 1646, and, being only partly repaid the debt owing to him, he was assigned lands in the barony of Glenarm, co. Antrim, in settlement of the remainder in 1655. *Cal. State Papers*, Irel., 1633-1647, pp. 494, 770; *ib.* 1647-1660, pp. 19, 574; *ib.* 1663-1665, p. 340.

Major George Rawdon (1604-1684) of Rawdon near Leeds, began life as private secretary to Lord Conway and Killulta, by whom he was probably induced to settle in Ulster, where he acquired considerable property at Moira, co. Down. He acted as agent for the management of the Conway estates and on the outbreak of the Rebellion successfully defended Lisburn against Sir Phelim O'Neill. In 1645 he was made Major of Col. Hill's regiment of horse and served in Ulster till the execution of Charles I. He accepted the office of a Commissioner of Revenue under the Commonwealth in his own and Lord Conway's interest; but he was a lukewarm supporter of the Government and took an active part in preparing the Restoration. He was a vigorous correspondent, and his letters, of which many have been printed in the Calendars (Irish and Domestic) of State Papers throw much interesting light on the state of affairs in co. Down during his lifetime. See Life in *Dict. Natl. Biog.*

The main business occupying the Commissioners was the sequestration of Delinquents' estates. For more on this subject see below, p. 71.

[1] Sir George Blundell was the eldest son of Sir Francis Blundell, who came to Ireland at the beginning of James I's reign, and having received a reversion of the office of Surveyor-General in succession to Sir William Parsons in 1609, sat for Lifford in Parliament in 1613-1615, and being knighted at the same time, afterwards obtained a grant of 500 acres in the plantation of Wexford, and was appointed Vice-Treasurer of Ireland in 1622, having paid £2750 for the office; but died a year or two later. An interesting "Discourse concerning the Plantations" by him is preserved in Harl. MS. 3292, ff. 40-5. His widow resided at Dublin with her family during the Rebellion. Sir George offered his services to Government, was recommended by the Irish Committee to Monck for employment and appointed (as above) a Commissioner of Revenue at Belfast in 1651. He supported the Restoration and was returned M.P. for Philipstown in 1661.

and therefore have advised him to hasten down to you with all possible speed. . . ." 5 Sept. *Ib.* f. 100.

39. Same to Colonel Hewson.

"These are to let you know that we do much long to hear from you, and the result you shall take upon the last letter directed to you. We shall now only inform you, that we have lately heard from Col. Cooke at Wexford, who is, we hope, upon his march to conjoin with Col. Sankey, according to my Lord's orders. Our news from Scotland, by one that is lately come from thence, is that Stirling Castle is rendered to Col. Monck[1]; and we do hear from the north, from several hands, that the quarters in Ulster are in very great danger, now all the forces both horse and foot are drawn away; Dundalk quarters are preyed and some corn there burnt. If Col. Venables be not with you let him know so much, and have copies of the enclosed, if he has not heard of it before. In what posture affairs are with you we know not, and therefore at this distance cannot advise. We see all parts are in danger and much fear. The Lord of Counsel give you wisdom and counsel and also be present in all your undertakings for him and his glory, which is the prayer of your assured etc.

"*P.S.*—The troops of Capt. Alland, Pemberton and Ward were the last night at Maynooth. The Liffey being up they could not pass; but hope this day to pass to Kildare, where we have ordered them to be in readiness to attend the enemy's motions until further orders." 8 Sept. *Ib.* f. 101.

40. Same to Commissary-General Reynolds.

". . . By letters from Derry the 29th August we are informed that the country of Omagh is preyed by the enemy, and the British—men, women and children—stripped and some slain; the enemy faced the Omagh with about 300 horse and seven or eight hundred foot. All the forces of Ulster are with Col. Venables. Dundalk was lately preyed and some corn thereabouts fired. . . ." 8 Sept. *Ib.* f. 102.

[1] Stirling Castle surrendered on 14 Aug.

41. SAME TO THE COMMANDER-IN-CHIEF OF THE PARLIAMENT'S SHIPS OF WAR APPOINTED FOR THE IRISH GUARD, AND, IN HIS ABSENCE, TO ANY OF THE CAPTAINS OF THE SAID SHIPS, TO BE COMMUNICATED TO THE REST.

"We have received intelligence from the north of Ireland this day, that Bartlett[1] and another came to the bay of Carrickfergus and took a merchant ship out of the Channel, and that he lieth still about Glenarm, northward of Carrickfergus, where he took some prisoners and plundered the town. We have likewise intelligence that Stirling castle is rendered to Lt.-General Monck, and that there are 2000 of the Scots forces under the Earl of Galloway[2] about Port Patrick in Scotland, and lest there may be a design of transporting the forces into the north of Ireland, to create new troubles there, there being no probability of their subsistence any longer in that part of Scotland. We conceive it necessary that one or more ships of war should ply for some time between Dunluce and Carlingford, to endeavour the prevention of such a design, if any such should be attempted. We have despatched this boat of purpose to give you this advertisement, and to desire your special care for the preservation of those coasts, so far as it may be consistent with other commands lying upon you of greater importance. What occurrences of affairs either from England or Scotland comes to your knowledge we desire you to communicate to your assured friends." 8 Sept. *Ib.* f. 103.

42. Ordered by the Commissioners that Thursday, 25th Sept. be kept as a day of thanksgiving for the Scottish victory. 12 Sept. Orders A/82. 42. f. 19.

43. THE COMMISSIONERS TO COMMISSARY-GENERAL REYNOLDS.

"This day we received yours of 12th inst. September and are glad that the good hand of Providence hath brought you into these parts for the security of these quarters and for the further diversion and dissipation of the enemies." Concludes with rejoicings at the good news from England.[1] 15 Sept. Domestic Corresp. A/89. 49. f. 108.

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[1] Capt. John Bartlett, an active royalist privateer, had with his brother, Capt. Thomas, greatly contributed to the relief of Drogheda in 1642. He was rewarded at the Restoration for his loyalty, and in compensation for his losses was appointed to guard the Irish Channel.

[2] Galway in original: the person meant was James Stewart, Earl of Galloway (1604-1671).

44. SAME TO THE COUNCIL OF STATE.

"In our letter of 19th August last we gave your Lordships an account of the beginning of a discovery of some persons in London, that have made it a trade to send over into Ireland great quantities of clipt and false money, both gold and silver, and of the examination and confession of one Christopher Jones, who, being taken upon suspicion, hath discovered his correspondents. The persons mentioned in that discovery are Thomas Hartup, servant to Mr Robert Fenn a merchant in Bradstreet,[2] William Smith a packing porter in Basingshaw Street,[3] London, Richard Hill a refiner in Woodstreet and one Mr Booth a goldsmith in Cheapside, next the Naghead tavern. We hope these are apprehended and examined; but fearing that [our] letters might have miscarried, we again send a copy thereof enclosed.

"Since which former letter we do find that in six hogsheads of coperas there was sent over four little barrels of pieces of eight,[4] of about £200 in each barrel; one of them was sent over from the said Mr Hill to Mr Toxteth at Drogheda, who is a treasurer there, and the other three from one Mr Markes, servant to Alderman Avery, unto one Mr Taylor of Dublin, lately dead; but the said pieces of eight sent to Taylor were packed up in Hill's house and by his privity. The said Taylor was servant to Alderman Kenrick or to another merchant in London of that name. We do not find that Alderman Fenn, Alderman Avery, or Alderman Kenrick[5] were at the least privy hereto; but their servants made use of what cash they could come by to promote their design. Upon the news of Taylor's death, the said Mr Markes, servant to Alderman Avery, is come to Chester, to come over about Taylor's estate, which is of some good value and with whom Markes was a partner. Some passages that fell out at Taylor's death we send herewith [wanting]. Napper, that was agent for Taylor, we have committed, whom we find to be a very dangerous fellow and pretended to come over to practise physic. He lived alone in a great house near the river side, none living with him there but the said Taylor, a single person. Since Taylor's death the said Napper caused Taylor's writings and four little firkins of the counterfeit and base money to be hid in a garden, and buried underground; and there was also a desk of letters and accounts belonging to Taylor hidden in the same manner. We do find there was some quantity of gold sent from the parties above named unto the said Taylor, but it is not yet discovered. Napper, being examined, what it was that Taylor wished him to have a care of; his answer was, it was an acquittance from Taylor's master unto the said Taylor, which was in the hogshead of tobacco, and that he had sent the same in a letter to Markes; but, we having intercepted that letter, there was no such matter therein. We find Hartup hath some notice of Jones's discovery: a copy of a letter written by him we send enclosed [wanting], and by another letter, written in a counterfeit hand by another name, they desire to know whether Jones be dead or alive. The coin that is before us is of several sorts. We think some of it may be of the Peru silver, and in their letter is called fine cloth, which cost them three shillings and sixpence, as they say, a yard; but there is some coarser, and we suspect is of a more base condition. A copy of one of Booth's letters sent to Taylor about the said counterfeit money we send herewith [wanting]. The books and writings of Jones sent to England before his apprehension were stayed by our orders at Chester, and are coming over to us. We have given your Lordships account of this particular, hoping that the further discovery hereof may prevent for the future in some measure this great growing mischief." 17 Sept. *Ib.* ff. 109-110.

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[1] The victory at Worcester on 3 Sept.

[2] Bread Street.

[3] Basinghall Street.

[4] The old monetary system of Spain was based on the hard silver dollar (equal to 4s. 2d. to 4s. 9d.), called a piece of eight apparently because it contained eight reals, Mexican Plate, which was the chief money of account in Spanish America. The price of the piece of eight or Spanish Royal was fixed for payments in Ireland in 1646 at 5s.

[5] Alderman John Kendrick and Samuel Avery, two well-known London citizens, were appointed treasurers for receiving money subscribed under the Doubling Ordinance in 1643. As Adventurers both acquired large estates in Ireland.

45. SAME TO THE PARLIAMENT.

"We have not of late troubled you with our letters, not having anything worth your knowledge to impart unto you, and shall now let you know the present posture of your affairs here. Limerick is close besieged with strong forts round about it, and Sir Hardress Waller [1] with the greatest part of the foot of the marching army and nine troops of horse, to man the works and make good the siege. The Lord Deputy and Lieut.-General with twelve troops of horse, the life guard and three troops of dragoons and about 2000 foot in a moving body to attend any motions and attempts of the enemy, who as they gather together and make any attempt is ready to meet with them. The enemy it [2] doth consist of 2000 old foot and about five or six hundred horse under Murtough O'Brien [3] and David Roche,[4] who have been a growing troublesome enemy, and have put my Lord and his party to very hard marches in bogs and woods to find them out, but yet through the help of God your forces have been enabled to disperse them and have frustrated their attempts, and have lodged some garrisons where their several haunts are; and what forces are not placed in the said garrisons, being ten troops of horse and 1500 foot, are so placed as to prevent the field enemy on that side the Shannon from attempting anything on Limerick, and to countenance the garrisons and to receive provisions from the Shannon, and to justify the siege at Limerick as occasion serves.

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[1] Sir Hardress Waller, of a Kentish family, born about 1604, seems to have come to Ireland, probably at the suggestion of Richard Boyle, Earl of Cork. about 1625, and to have settled down at Waterford. Through his marriage with Elizabeth, daughter and co-heiress of Sir John Dowdall of Kilfinny, co. Limerick, he acquired a considerable estate at Castletown in that county. He represented Askeaton in Parliament in 1634; served both in England and Ireland during the war; was appointed one of Charles I's judges and signed the death warrant. He took a prominent part in the conquest and settlement of Ireland and at the Restoration escaped to France, but returned and surrendered himself, and was imprisoned for life, dying about 1666. See Life in *Dict. Natl. Biog.*

[2] Yt in original.

[3] Col. Murtough O'Brien of Dromore, co. Clare, served on the royalist side both in England (1643-1644) and Ireland, receiving a commission from Ormond as colonel of a regiment of foot in 1649. He adhered to the Peace of 1648/9 and was appointed Commander-in-Chief of the Irish forces in co. Clare. He surrendered to the forces of the Commonwealth on 21 April 1652. (For Articles between him and Sir Hardress Waller see below, pp. 183-5.) But taking advantage of the terms of the capitulation he joined Muskerry in Munster and continued fighting under him till his surrender at Ross, after which he threw in his lot with O'Sullivan Beare and O'Driscoll (see below, p. 327). He escaped abroad and returning to Ireland at the Restoration recovered possession of his property. See his Petition in *Cal. State Papers*, Irel., 1660-1662, p. 251.

[4] To which of the numerous branches of the Roche family in Munster this David Roche belonged is not quite certain; but he seems to have been a son of Maurice, Lord Roche of Fermoy (Portland MSS., i, 556) and may perhaps be identified with that David Roche of Glenanore who sat in the General Assembly of the Confederation. He apparently held a command under Viscount Muskerry and shared in the defeat at Macroom in April 1650. In Ludlow's *Memoirs* he figures as David Rock.

"The Lord Broghill,[1] with the Munster horse, with two troops of horse and one of dragoons from the marching army, and the party designed for Kerry, and the old foot out of two regiments in the County of Cork, doth attend the motions of Muskerry,[2] who since his rout[3] is grown strong again, and in that rout, whereof you have heard, the heat of that service was not a little on the troops sent from the marching army.

"Col. Sankey, with six troops of horse and five or six of dragoons, is gone up towards Birr to relieve and countenance the garrisons in those parts, and to prosecute Fitzpatrick, who hath reigned and done much mischief in those parts and about Kilkenny and Tipperary; and Col. Cooke is ordered to join with Col. Sankey, and, as we heard lately from him, he is marched, as we hope, according to those orders. The number of horse and foot with Col. Cooke, that he hath marched into the field with, is not yet come to our knowledge. This account we had of our forces in these parts as they were the 23rd August last.

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[1] Roger Boyle, Baron Broghill and afterwards Earl of Orrery, son of Richard, first Earl of Cork, born in 1621 and educated at Trinity College, Dublin, after spending several years on the Continent, married Lady Margaret Howard in 1640 and returning to Ireland on the very eve of the Rebellion took an active part in the defence of the English interest in Munster. He disapproved of Charles' treaty with the Irish and going over to the side of the Parliament afterwards, though not very willingly, joined Cromwell and was instrumental in securing the surrender of the Munster garrisons. He was left with a "flying camp" in Munster, and on 10 April 1650 inflicted a severe defeat on the Irish under the command of Boetius Egan, Bishop of Ross, at Macroom. After Cromwell's death he was, with Sir Charles Coote, an active agent in paving the way for the Restoration and was rewarded for his services with the title of Earl of Orrery. He was the avowed leader of the "English Interest" and secretly opposed to Ormond. After suffering greatly from gout he died in 1679. His *Letters*, published in 1742, form a valuable commentary on events following the Restoration. See Life in *Dict. Natl. Biog.*

[2] Donough MacCarthy, second Viscount Muskerry, married Ormond's sister Eleanor, but at the beginning of the Rebellion he threw in his lot with the Confederates, was arrested and imprisoned by Rinuccini for supporting the peace; was appointed a Commissioner of Trust and Commander-in-Chief of the Royalist Forces in Munster. He surrendered on terms to Ludlow in June 1652 and transported himself and 5000 men into Spain; but returned to stand his trial on a charge of murder before the High Court of Justice at Dublin in 1653 (see Hickson, *Irish Massacres*, ii, 192-204) when he was acquitted. He was created Earl of Clancarty by Charles II in 1658; restored to his estates at the Restoration, and died in London in Aug. 1665.

[3] For an account of this skirmish on 25 July 1651 see Gilbert, *Contemporary Hist.*, iii, 247.

"Sir Charles Coote with his party doth lie before Galway on one side thereof; but he wants forces to make a close siege to the other side. Commissary-General Reynolds, Col. Hewson, Sir Theophilus Jones and Col. Venables have orders to conjoin and make a body about Athlone, to watch and follow Clanricarde and that body he was gathering to him about Jamestown[1] out of Ulster and Leinster, to disturb the siege of Limerick or Galway; and by the good blessing of God that body is dispersed, and by report (but the certainty we cannot affirm) Clanricarde and Castlehaven,[2] with some other of that rank are gone towards Sligo in order to go beyond sea; but the forces being dispersed, some are gone into Cavan and other parts of Ulster, who were kept from doing further mischief by Venables; but upon his motion towards Athlone, as above said, did take that advantage and have preyed and taken away the cows and cattle about Omagh, the frontier of your Ulster quarters, in the County of Tyrone. And also another party did prey Dundalk and attempted a castle within a mile of Dundalk and were repulsed; but did burn the corn about Dundalk and have threatened those quarters; but Col. Venables consisting of (*sic*) about 1500 old foot and 500 horse, with the addition of three troops belonging to Col. Hewson, is now in Cavan, to engage, if he can, that party of the enemy that came out of Connaught into Cavan under O'Reilly,[3] and are joined with the Ulster Tories, who are now much more numerous than Venables and his party; but if they do not engage with him he is ordered to reduce Ballinacargy, O'Reilly's castle—the strong fort of the enemy in Cavan, where he is to plant a good party of horse and foot after the same is reduced; and a new troop is lately raised about Antrim and Down to secure the passes into those counties during the absence of Venables. Commissary-General Reynolds with the addition of the Leinster forces do attend the motion of Dungan, the Commissary-General of the enemy, and the residue of Clanricarde and the Leinster forces, whom he hath pursued into the King's County throughout a great fastness called Glanmaliere,[1] and hath followed them into Leinster over the Barrow, who are in a flying posture and come into Wicklow, and are joined with Scurlock, Grace,[2] and the Tories, and other parties of the enemy in Leinster. The party now with Commissary-General Reynolds and the Leinster forces do consist of 800 horse and dragoons and 600 foot. This is the present posture, as we do understand, of your marching army and other your forces here in Ireland.

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[1] Jamestown in co. Leitrim.

[2] James Touchet, Earl of Castlehaven, grandson of George Touchet, an Ulster planter, was on the point of leaving Ireland when the Rebellion broke out. Being a Roman Catholic and having by his conduct aroused the suspicion of the Lords Justices Parsons and Borlase he was arrested; but escaping from confinement he joined the Confederates and served on their side till the peace of 1646, when he went over to Ormond. In 1649 he was appointed General of Horse and took an active part in the war against the Commonwealth; but his efforts to raise the siege of Limerick proving futile he and Clanricarde retired into West Connaught in the autumn of 1651 (hence the report alluded to by the Commissioners) though it was not till April in the following year that he left Ireland for the purpose of soliciting assistance abroad. He died in 1684. His *Memoirs*, published in 1680, are a valuable source of information for the war in Ireland from 1642 to 1651. See Life in *Dict. Natl. Biog.*

[3] This was Philip MacHugh O'Reilly, chief of the O'Reillies of co. Cavan, and returned as knight of the shire to Parliament in 1639, but ejected in 1642. He was one of the originators of the Rebellion and is generally admitted to have exercised a restraining influence over his followers, though the same cannot be said of his wife, Rose ny Neill, the sister of Owen O'Neill (see Hickson, *Irish Massacres*, i, 218-220, 303-312, particularly Deposition lxxxiii). He was chosen one of the representatives of Ulster on the Supreme Council of the Confederation and as colonel under Owen Roe O'Neill played an active part during the war. He held out at Ballinacargy till the end of April 1652, when he was allowed to transport himself and his men into Spain. (*Cf.* Thurloe, *State*

"It is a sad and unpleasing story to relate to you the plunderings and spoils the enemy have made in most of your quarters

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Papers, ii, p. 630. According to D'Alton (*King James's Army List*, p. 926), he died in 1655 and was buried in the Irish monastery at Louvain. See Life in *Dict. Natl. Biog.*

[1] Glanmaliere (*Hib.* Clann Maoilughra) a thickly wooded district lying at the headwaters of the Barrow, partly in King's County, partly in Queen's County, was the tribe land of the O'Dempsies. In the plantation of Leix and Offaly (*Eng. Hist. Review*, Jan. 1891) it was assigned to Owen MacHugh O'Dempsy as a reward for his loyalty. The estate, one of the best in Ireland, passed to his son, Sir Terence, who married Cleopatra Cary, a near kinswoman of Henry Cary, Lord Falkland, and was created Viscount Clanmaliere in 1631, and sat in Parliament in 1634. From him it descended to his younger brother, Lewis, who forfeited it for his share in the Rebellion, when it was assigned as satisfaction for a number of Adventurers. Lewis was tried on a charge of murder before the High Court of Justice at Kilkenny in 1652 and though not found guilty was kept a close prisoner at Dublin till the Restoration (Prendergast, *Ireland from the Restoration*, pp. 52-53, 74). His position at the Restoration was a peculiar one, for not being able to claim recovery as an innocent, he was juggled out of his estate by Henry Bennet, afterwards Earl of Arlington. *Cal. State Papers*, Irel., 1660-1665 *passim.*

[2] Col. Richard Grace, younger son of Robert Grace, Baron of Courtown, co. Kilkenny, served as a royalist in England till 1646, when he returned to Ireland, raised a regiment and played an active part during the war there. After an obstinate resistance he surrendered to Col. Sankey on terms in Aug. 1652, and was allowed to transport himself abroad with 1200 men. He recovered his estate of Mogheely at the Restoration, was made Chamberlain to the Duke of York, and died fighting in his cause as Governor of Athlone in 1691 See Life in *Dict. Natl. Biog.*

during the absence of your forces; they having driven away the cows and cattle from several of your garrisons, as Kilkenny, Ross, Dublin, Dundalk, Omagh, and other places in Munster and Leinster besides the loss of several small parties, as sixty horse from Carlow—all or most of them put to the sword; fifty about the Newry—all put to the sword; twenty-four killed in the party that went lately out of Dublin to rescue the prey and twenty-two taken prisoners and above sixty good and serviceable horse taken then by the enemy, besides the taking of some small castles, as Kilkea within six miles of Carlow, where now the Commissary-General is at present in order to the reducing the garrison of Monksgrange upon the Barrow, and Carnew in the county of Wicklow.[1]

"By all that is above mentioned it will appear that the work is not yet done in Ireland; and as you may well perceive your forces have not been idle or [blank] all this summer so there is much to be yet done, what God will have us to wait and look up to him and to him alone and not to any arm of flesh, and therefore we desire of all, due acknowledgements of praise may be given to him for what he hath done, so his grace, mercy and blessing may be begged to be vouchsafed unto his unworthy servants here; and we beseech you to consider that this summer's action hath been a great wasting to your horse and foot, and though many recruits have come over in number, yet I (*sic*) would we had not much cause to complain and say a great part of them lame, blind, children, aged and fitter for the hospital than an army, and all of them without clothes. And for your army and forces they are now engaged in sieges or in chase of the enemy; but the contributions and assessments, that could be raised for their pay, are much decreased and made impossible to be raised in many places, by the great wasting the enemy have made in all quarters of late, so as we hope you will see a necessity that supplies for money and additions of forces and especially of horse be continued and sent over, without which your service here is likely to be prolonged. We have given the account of further particulars to the Council of State, from whom you will receive a more full state of these affairs." 18 Sept. *Ib.* ff. 111-114.

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[1] This paragraph was omitted from the letter as officially published in *Several Proceedings*, p. 1627.

46. SAME TO THE COUNCIL OF STATE.

"The singular mercies of our God, manifested to his praise and his people's deliverance, by the success it hath pleased him to give your forces at Worcester, and by uniting the hearts of the people of England, beyond most men's expectations, to engage against the common enemy, doth much rejoice your servants here, and seems to promise a speedy period to this trade of war in your dominions, by admitting you liberty to apply your counsels and forces for the reducing those places, which hitherto have stood in opposition against you, and to provide seasonable assistance for such as yet labour under difficulties in your service, for which end we think it necessary to give your Lordships the faithfulest account we can of your affairs here. And in the first place humbly present to your perusal here enclosed [wanting] a copy of the Lord Deputy's letter to us of 23rd August, wherein you will find the state of your affairs at Limerick and in the adjacent parts of Connaught and Munster (as they then stood), and his sense of the overtures made by your Lordships in order to a northern expedition, very fully set down. In the next place we hold it our duty to acquaint you with the state of your forces and Revenue in these parts at present, it being far different from what it was when we last presented the same to your Lordships by our letter of 1st July last, as will appear by the enclosed copy of our letter to the Lord Deputy of the 3rd inst., and by the enclosed note of the state of the Revenue here, whereby your Lordships will perceive what great abatement there is in the assessment within Leinster, including Wexford, by the enemy's late wasting the country, in the absence and employment of the forces in Connaught and elsewhere, [and] how impossible it will be for your forces to subsist, without a speedy and considerable supply of money to be sent hither for the relief of the forces assigned to be paid here, which we humbly desire may be taken into present consideration.

"In our letter of 1st July, before mentioned, we acquainted your Lordships that the defect then had caused us to charge by exchange upon the Treasurers £4000, and desired from the last of July there should be £2000 *per mensem* reserved in the Treasurers' hands for pay of the forces here, which £2000 *per mensem* for these two months, viz. August and September, we must be necessitated to charge by Bills of Exchange upon the Treasurers, and we humbly desire that for the next three months, viz. from September to the latter end of December there may be £2500 *per mensem* reserved and assigned for the pay of the Leinster forces; the Wexford forces being more properly to be supplied from the treasury that shall be sent to Waterford, for the Munster forces. Without these supplies (over and above clothes and other usual deductions) we cannot see how your forces in Leinster can subsist without a considerable part of the army,[1] and are likely to be much in action after the reducing of Limerick and Galway: this increase of £500 *per mensem* being necessitated by the non-solvency of several counties, lately wasted and the cattle driven away by the enemy in the absence of your forces in Connaught and elsewhere, and by the addition of recruits and some other forces now returned out of Connaught and sent to be provided for here. We likewise desire that the clothes formerly writ for may be timely provided and sent over.

"From Ulster we had advertisement that Bartlett and Coach are upon those coasts doing great mischiefs, landing a hundred men at a time, to plunder the country and take prisoners. They have taken a merchant ship of great value out of the harbour of Carrickfergus, and have totally destroyed fishing and trade in those parts, and very much impeded the contributions there, which must maintain the forces, as by the enclosed paper [wanting], being a copy of a letter from the Commissioners there, may appear. Upon the first advertisement we received hereof we hired a boat to go to sea to try whether they could find any of your ships of forces, to whom we write our advice to ply that way, as well for the relief of the inhabitants, as to prevent a design of landing men there from Scotland, in case those western levies about Port Patrick, under the Earl of Galloway, should be intended for such a design; but as yet our boat is not returned. We hope that the sad condition of those parts will move your Lordships to some speedy and effectual resolution for the reducing of the Isle of Man, which (if our intelligence be true) will be gained without much difficulty, the inhabitants being (as we are informed) weary of their landlords and very desirous to be under your government.

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[1] *Sic* in original; but something seems to have been omitted by the copyist.

"We humbly conceive it very advisable to send a considerable number of horse and foot into Ireland to prosecute your service here more effectually; your horse here being very much worn out, and the foot being too few to carry on the war in all places, insomuch that Galway could not hitherto (for want of foot) be blocked up on all sides; and there being likewise many places which must be strongly garrisoned near the woods and bogs, to break the strength of the enemy in those fastnesses, before the country can be inhabited by any friends of yours. This and the reducing the Isle of Man may be effected under one charge, if in your wisdom it be thought convenient.

"We are necessitated further to certify your Lordships that there is here great want of ammunition, there being not in the store at present fifty barrels of powder and but a small proportion of ball, which is a very inconsiderable quantity for field service and the furnishing so many garrisons as are to be supplied out of the stores here. Two hundred barrels of powder, with match and ball proportionable, is the least that will be requisite to be sent hither, and the stores constantly supplied to that proportion, and therefore we humbly desire that that quantity may be speedily supplied and sent hither. There was 400 barrels of powder ordered the last year to be sent hither, whereof there came to the stores here but 160 barrels; the rest were landed at Waterford for the service of the field, by my Lord Deputy's order, and of the fifty now in the stores continual marchings and supplying all emergencies in these parts of Ireland do daily consume the same, and without a further supply here your service will suffer much.

"We received advertisement this day that there was a plot upon the castle of Athlone to surprise it, wherein the Lord Costello's lady and the Lord Taaffe's lady[1] had a hand. One that was engaged in the plot discovered the same to the Governor, who so managed the matter that, when they made their attempt, he killed fifty of them, took Sir Lucas Dillon's son prisoner, who led them on; and the two ladies are prisoners. We dare not presume to be further troublesome to your Lordships at present and therefore we humbly. . . ." 18 Sept. *Ib.* ff. 116-119.

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[1] These two adventurous ladies were sisters, the daughters of Sir Nicholas White of Leixlip. Frances married Thomas, fourth Viscount Dillon of Costello-Gallen, co. Mayo, who had recently surrendered Athlone to Coote. Mary married Theobald, second Viscount Taaffe, who was then abroad in connection with the abortive Lorraine Treaty.

47. Same to Mr Harrison.[1]

"We received yours of May 5th, and should have been glad you had been in a condition of freedom to have come shortly over into Ireland, according to our desire in a former letter to you, where is to be found not only a comfortable seed-plot for your labours, as your letter seems to import you sensible of, but thereby you might have been able experimentally to have given your and our friends in New England a taste of the condition of this country, for the better encouragement of the removals hither, of such of them, whose hearts the Lord shall stir up to look back again towards their native country, which to encourage according to the power invested in us by the Parliament of England, so we do hereby give full assurance to those our friends, that they shall enjoy free liberty of conscience in all religious or spiritual matters, as fully as they now do in New England, or as the Lord shall hereafter further make known to them to be his will, for the more high exalting the kingdom of Jesus Christ in the power and purity of Gospel ordinances and Church fellowship, as we shall also improve our best endeavours with the Parliament for their enjoyment of convenient lands fitting for husbandry and other improvements in healthful air, and near unto maritime towns or secure places fit for traffic and merchandising, where they may live together upon as easy terms and rates (if not more easy) either in purchase of inheritance by such as are able, or taking to farm for three lives or years by others, as shall be held out to other English persons by the Parliament. In which aforesaid particulars we are no whit doubtful but the Parliament will be very ready to confirm and to hold out such encouragement to them, as shall demonstrate that their chief care is to plant Ireland with a godly seed and generation of men fearing his name, as soon as they can be at leisure to consider of what encouragement shall be fit, which we believe will be such as shall administer plentiful subsistence and encouragement to all undertakers." 18 Sept. *Ib.* f. 120-1.

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[1] No doubt Dr Thomas Harrison. Harrison, born at Kingston-upon-Hull, Yorkshire, in 1619, was taken when quite a child by his parents to New England, where he was for some time chaplain to the Governor of Virginia, but becoming distasteful owing to his extreme views, he returned to England and succeeded Dr Goodwin as minister of the Independent congregation of St Dunstan's-in-the-East. He accepted the call to Ireland and was appointed minister of Christ Church, Dublin, at a salary of £300. See Life in *Dict. Natl. Biog.*

48. SAME TO THE COUNCIL OF STATE.

"Since our former letters we have received intelligence that Kilkea Castle was rendered up yesterday to Commissary-General Reynolds. The commander of that place, rendering to mercy, was shot to death; the rest, not being above fifteen, had quarter and were exchanged. Since that the Commissary-General, with some of that party are gone to take in a castle in Kildare, called Clonnah [Clonagh] upon the Barrow, environed with a bog. We have likewise intelligence that Col. Venables with his party hath fallen upon Ballinacargy in the county of Cavan, according to orders mentioned in our last letter, and having spent two days in the battery of that castle, hath sent for more powder and ammunition to Dublin, but as places send hither for supplies, so we are loath to mention what small quantity of ammunition is left here, but upon this occasion sending into the stores, we do find there is not above twenty barrels left, in whatsoever exigencies your affairs should be in; and therefore, that the stores may be supplied, we beseech your Lordships to take some effectual course that powder may be sent hither, as we have written at large by our last letters; and for the present exigency we have sent to Mr Whalley at Chester, to send hither twenty barrels of powder, with proportion of ammunition answerable. The powder, ball and [blank] that Col. Venables had in this service he had from hence, and so also Commissary-General Reynolds did the like, for reducing the castle abovesaid." 22 Sept. *Ib.* f. 125.

49. Ordered by the Commissioners that Thursday, 2nd October be kept as a day of thanksgiving for the late victories in England. 22 Sept. Orders A/82. 42. f. 23.

50. THE COMMISSIONERS TO THE COUNCIL OF STATE.

"Since our last to your Lordships about the coining business, upon the examination of that matter, we have found £300 or £400 at least in counterfeited half-crowns, and some other money of the coin of England, and some £27 or thereabouts in counterfeited new gold. Some of the half-crowns are so bad that there is not two pence of silver in one half, and all was in the custody of Taylor and one Christopher Napper an ancient man. Taylor is dead; but Napper that lived with him in the house, hath used all kinds of subtle ways to conceal and embezzle the estate of Taylor, and amongst other particulars had conveyed this parcel of counterfeited money, as above said, into several private houses in an obscure way, and though this be clearly proved, yet he denies this money came into his hands, and though we do believe there was a good considerable quantity of the counterfeit gold, to the value of about £500 in Taylor's hands, at his death, yet we cannot find out more than the said £27. There is one Nathaniel Markes, servant to Alderman Avery, that was partner with Taylor, and we do suspect him guilty of this conspiracy, and he doth appear to us to be privy to the uttering this counterfeit and base money, who upon Taylor's death is coming over to Dublin, and is now at Chester; but upon search of the letters that came this week from England we found this letter, the copy whereof is enclosed [wanting], which was written as we do suspect by Major Richard Hill of Wood Street; the original we do keep till we can send it by an express. When Markes doth come over we shall secure him here, and further acquaint your Lordships with what particulars shall further come to our knowledge in this matter.

"In our last we then acquainted your Lordships that Commissary-General Reynolds with his party had pursued Dungan, Grace and that party from about the Shannon to Glanmaliere, and hence had followed them into Wicklow, and that the enemy were dispersed and the Commissary-General was about the reducing Kilkea, which is since reduced and he gone to reduce Clonagh upon the Barrow; but that dispersed enemy is (according to their old manner) within a few days gathered together again, and Grace with his party is as we heard yesterday about Tecroghan,[1] and have driven away the prey in those quarters, and have burnt part of the corn, and is feared to do more mischief that way. Commissary-General Reynolds and his party is gone, as we hear, to attend this body of enemy; and were that party with Commissary-General Reynolds gone towards Connaught, as he intends, that garrison of Tecroghan, which is a very considerable place, would be lost, and, if taken, of much advantage to the enemy, and is feared will so be if he come not timely to relieve the same, we not being able, for want of money, to have in any one garrison at one time above a fortnight's provision for bread, and not having ammunition above the quantity of half-a-barrel of powder for each garrison; and in this posture are most of our garrisons in Leinster, being in all about sixty. After the Commissary-General is gone with his party there will not be any forces left in all Leinster, that will be able to go into the field upon any necessity or emergency whatsoever to relieve any garrison, and indeed not able to defend this place. And in this posture we are likely to continue till Limerick be reduced, which some fear may be a winter's work.

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[1] Tecroghan Castle, apparently Teach-Gioghrain—*i.e.* Gighran's House—a few miles north-west of Trim, was a strong fortress commanding the upper waters of the Boyne. It was surrendered by Sir Robert Talbot to Colonels Reynolds and Theophilus Jones on 16 June 1650. See Gilbert, *Contemp. Hist.*, ii, 91.

"Yesterday Sir Theophilus Jones and Col. Abbot[1] came to this place and demanded pay for their recruits, assigned for pay in Leinster, their quarters assigned to them being insolvent at present under the enemy's power, so as we were enforced to borrow £2000 to pay them and other parts of the army; there not being any money in the treasury, we have taken up the same of merchants here, and charge this £2000 by Bills of Exchange upon the Treasurers-of-War. A copy of our Order we send herewith enclosed [wanting], which we beseech your Lordships to order the Treasurers-at-War to pay; and we do expect within a short time to be enforced to take up £2000 more for the payment of other forces assigned to be paid out of the Leinster treasury. We shall trouble your Lordships no further at present, having lately given you a large and long account of your affairs, of which letters we do humbly crave to hear some return which is much longed and looked for by. . . ." 23 Sept. Domestic Corresp. A/89. 49. ff. 131-2.

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[1] Colonel Daniel Abbot came to Ireland with Cromwell as colonel of a regiment of dragoons. He fought through the war and was chosen an agent for assigning lands to the army. His own arrears were satisfied in the barony of Moyfenrath, but led to a legal dispute with Dr Henry Jones. He was suspected of being opposed to the Restoration and in 1663 he took part in Blood's plot to upset the Government. A reward of £100 was offered for his apprehension; but he managed to escape.

51. SAME TO THE COMMITTEE FOR IRISH AFFAIRS.

"The public service having been much hindered this summer for want of constant intercourse to and from the Council, occasioned by the enemy's taking two packet-boats, belonging to Major Thomas Swift at Holyhead, we thought it would be of public advantage to send unto Major Swift a boat built frigatewise (and a good sailer) taken from the Scots the last summer, and put into her two small guns. . . ." 24 Sept. *Ib.* f. 136.

52. SAME TO THE LIEUTENANT-GENERAL'S LADY.[1]

The plague in Dublin abating: nineteen died last week. Lady Ireton[2] at Chester, intending to join her husband. 25 Sept. *Ib.* f. 137.

53. SAME TO THE LORD DEPUTY.

"We shall not at present trouble your Lordship any further than to send your Lordship the enclosed papers, by which it will appear to your Lordship what great deliverance the Lord hath wrought for our land and nation. The Lord raise up our spirits more and more to himself by his gracious dealings with us and for us! The Parliament have appointed Thursday the 2nd October to be held a general day of thanksgiving (for this so seasonable a mercy) in England, Scotland and Ireland. Our wants grow upon us very fast by the enemy's daily wasting the country, and no supply comes to us from England. The enemy yesterday burnt Castlejordan[3] and 300 haggards of corn about Tecroghan.

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[1] Ludlow married about 1649 Elizabeth, daughter of William Thomas of Wenvoe, Glamorganshire.

[2] Bridget Cromwell, Oliver's eldest daughter, who next year married Charles Fleetwood.

[3] Castlejordan, some distance south-west of Tecroghan Castle, at the head of the river Boyne on the borders of co. Meath and King's County, formed part of the estate of Thomas Lynagh, forfeited to the Crown for his share in the rebellion of the Geraldines in Henry VIII's reign. A lease of it was granted in 1551 to Elizabeth Duke, widow of Henry Duke, as a reward for her husband's services. The widow Duke married Richard Croft, who obtained a grant of it with remainder to the widow's sons by her first husband, Sir Henry and Edward, in 1566. Sir Henry had two daughters: Mary, who married Captain Richard Gifford of Ballymagarret, co. Roscommon, and Anne, wife of Sir Edward Loftus of Rathfarnham. Captain Gifford was slain in Nov. 1598 by the Irish under tragic circumstances and his widow shortly afterwards married Sir Francis Rushe, one of whose daughters, as above stated, married Sir Charles Coote.

They do burn or prey one place or other every day, taking advantage of the absence of the forces appointed for the protection and safety of these quarters. But our confidence is that the Lord will own us in the main and set a sudden period to the power and dominion of these men of blood fitted to destruction.

"*P.S.*—There is brought into Ireland of late very great quantity of base money—Peru pieces of eight, holding three shillings and sixpence silver and no more, counterfeit English money, especially half-crowns and new gold of the late King's stamp. We have made some considerable discovery of this practice, which we conceive will hazard the lives of some in England. We are informed that the agents for the Treasurers-at-War have been instrumental in the bringing over very much of that base Peru money and we fear some of the counterfeit English money. We hear that Mr Standish hath lately paid out a considerable parcel of new gold, which we suspect may be of that counterfeit gold, although he doth not know it, and therefore it were not amiss (as we humbly conceive) that inquiry should be made from whence that gold came, if it proves counterfeit, which will not be discovered but by cutting." 25 Sept. *Ib.* ff. 138-9.

54. SAME TO COMMISSARY-GENERAL REYNOLDS.

"Understanding by your letter to Col. Hewson your purpose of sitting down before Roscommon, we cannot but offer our opinion to you in regard the enemy is on foot in several parts embodied, and apt to disturb the Parliament's quarters in these parts, and they have taken Castlejordan and do threaten the parts adjacent; also 3000 horse and foot lie within five miles of Col. Venables, and ready to disturb his siege and interrupt his provisions from Carlingford, and upon his desire there is sent from hence powder, ball and other necessaries, now going to Trim, but cannot march for want of convoy. Fitzpatrick, Grace and others are in a body, as you may perceive by the enclosed [wanting]. We do conceive it may much conduce to the public service (unless you see very good cause to the contrary) that you, with your own party of horse and dragoons do speedily march to Col. Venables, to countenance his party, and in your way (if it be possible) to convoy to him the provisions now ready at

Trim; for we fear he is not able to send from his party a convoy sufficient and maintain the siege with security. These quarters about Dublin are also very destitute of help, and therefore we shall be glad that you would assign some of your party in pursuance of Col. Hewson's letter unto you." 27 Sept. *Ib.* f. 141.

55. Ordered by the Commissioners that, Mr Andrew Wyke, minister, be appointed to preach the Gospel at Lisnegarvy [Lisburn] and Belfast. 3 Oct. Orders A/82. 42. f. 25.

56. Ordered by the Commissioners that the estates, real and personal, in Ireland of all such persons, who have been sequestered in England for delinquency, be forthwith sequestered by the Commissioners of the Revenue in the Province of Ulster, and within the respective precincts in Ireland, and the profits of such estates be converted to the use of the public until further ordered by the Parliament. 4 Oct. *Ib.* f. 28.

57. Ordered by the Commissioners that, in accordance with the Order of Parliament for the assessment of Ireland, the whole Precinct of Ulster and all the counties, cities and places within the same, with the County of Louth (except the Barony of Ferrard) be charged with a monthly tax of £5430, *i.e.* Co. Antrim £1500; Co. Down £1250; Co. Donegal £700; Co. Armagh £350; Co. Cavan £800; Co. Louth £330; Co. Londonderry £250; Co. Fermanagh £150; Co. Tyrone with the Barony of Trough [Co. Monaghan] £100; and to continue for six months from 1st November next ensuing and twenty-eight days to the month. 4 Oct. *Ib.* f. 29.

58. THE COMMISSIONERS TO COLONEL VENABLES, COLONEL BARROW AND MR TIMOTHY TAYLOR.[1]

"We have sent Mr Wyke[2] (a minister of the Gospel, and a man of a meek spirit so far as we can discern) to preach the Gospel in the north, to whom we desire you to give all due encouragement, so far as you find him useful in the work of the Gospel. And, because there is great scarcity of persons fitly qualified to be sent out to preach to the people, we desire you to countenance and encourage frequent Christian meetings, both publicly and privately, to confer with each others about Gospel duties, and declare unto one another their experiences of the Lord's love and gracious dealing to them, to exercise their gifts in prayer and exhortations for the refreshing and edifying one another in love and in the knowledge of the Lord Jesus, avoiding vain and unnecessary questions and disputations, which administer strife, that the Lord Jesus may thereby be glorified, his name exalted and the present defect of instruments in some measure supplied. All which we leave to your Christian consideration to practise as the Lord shall lead out your spirits and rest yours." 4 Oct. Domestic Corresp. A/89. 49. f. 144.

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[1] Mr Timothy Taylor (D.D.) was an Independent minister attached to the army, afterwards stationed at Ballinderry, near Lisburn, from whence he went to Carrickfergus.

[2] Wyke, called Weeks in the Adair MSS., resided at Lisburn and received a salary of £120, afterwards raised to £140. For the proceedings of these two clergymen see Reid, *Hist. of the Presbyterian Church in Ireland*, ii, 164-171. Ed. 1867. "The Commissioners," wrote Rawdon to Lord Conway, "have sent us a rare minister, one Mr Weeks, a most powerful preacher, so that the congregation at Lisnegarvy (Lisburn) is very great, and look upon it as a very great mercy and providence." (*Cal. State Papers*, Irel., 1647-1660, p. 383.) Rawdon afterwards changed his opinion about Wyke. *Ib.* p. 667.

59. SAME TO THE COUNCIL OF STATE.

"We have in our despatches of 18th and 23rd September presented your Lordships with the state of your affairs here, and therein the great want of money, powder, match and bullet in your treasuries and stores, here, which in every particular increaseth upon us—the stores of corn being empty, our ammunition very low and some parts of our quarters daily wasted by the enemy's preying all the cattle, and firing corn and hay, who increase in numbers and grow more bold and insolent every day than other. Dungan, Scurlock and their party about ten days since stormed Ross[1] and took it (only the church and a house being fortified stood out) and after they had plundered the town, killed some twenty of our men and exacted £700 composition to save it from burning, they quitted the place having intelligence that some of your forces were drawing towards them. The rebels are endeavouring an universal rising in all countries, threatening excommunication, fire and sword to all those that do not rise with them. The Lord may be now gathering them together to pour upon them a full cup of his indignation. Col. Venables hath been necessitated to draw off from before Ballinacargy for the reasons mentioned in the enclosed [wanting], being a copy of his letters to us, upon receipt whereof we have immediately returned him the enclosed answer [wanting] and hope that by this time he and his party are upon their march to Cavan. We are necessitated to draw upon the Treasurers-at-War £2000 for supply of the Leinster forces, being the last £2000 of the £4000 mentioned in our letters of 18th September, to be for the months of August and September. We have enclosed sent a copy of our order for the taking up of the said last £2000." Details as to charges for provisions etc.

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[1] In co. Wexford; *cf.* Hore, *Hist. of New Ross*, p. 332-333, and Gilbert, *Contemp. Hist.*, iii, p. 66, where the event is wrongly assigned to 1652. The writer asserts that £400 per month was levied by Dungan on the town, but that the contribution was never paid nor intended to be exacted.

"We are now issuing our warrants for the furnishing of the stores in all garrisons with provision of corn, as well for the present supply of the forces with bread, as for stores to carry on the service in the spring; but we are informed that such a quantity of corn, as will be requisite, cannot be forced out of the country, their course being to burn their corn in the straw[1] and carry it into woods, bogs and islands, and there bury it in wooden huts under ground, as soon as they have intimation of intendment to force any quantity from them, and without force or ready money it is thought they will not part with it. We promise payment for what corn shall be brought in upon our warrants out of the assessments of December, January and February, in hope that by that time, through your Lordships' care, the Lord will open a way to bring your servants out of their straits and your affairs into a better posture." 7 Oct. *Ib.* ff. 150-2.

60. SAME TO THE PARLIAMENT.

"By our last of 18th September we gave an account how your military affairs then stood, and as to Munster and Connaught we cannot add anything to what we then informed, not having since heard anything of moment from those parts, so as we do believe the sieges and your services there are much what in the same posture as they then stood. As to the forces in the north, under Col. Venables, he had lately besieged Ballinacargy, a place very considerable within the County of Cavan; but not finding such other help coming to his assistance as was intended and expected, and wanting ammunition and provisions his men began to fall sick, and finding the enemy had 400 in that fort and within two miles another great body of 2300 foot and about six or seven hundred horse, and finding the enemy to retreat to a bog that did befriend them, when your forces marched towards them, and not being able to send any party considerable for any supplies, without too much weakening of their party, that had so powerful an enemy so near to them, and your forces in other parts were all so employed that none could be spared to carry the provisions that were in readiness for them, they were constrained to rise from the siege and drew near their own quarters at Dundalk; and after their supplies from Belfast, Carlingford and other parts are come to them, they are resolved to return to the County of Cavan, and if the enemy will not fight with them, yet they hope to hinder the enemy from any other design, either towards Connaught or elsewhere, and to take the best quarter they can, to place a good part of your forces this winter, that may be in readiness to attend the motions of the enemy in those parts upon all occasions.

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[1] On this practice, which was due chiefly to the dampness of the climate, see Joyce, *Social Hist. of Irel.*, ii, p. 342.

"In Leinster the enemy is very active, and hath several bodies that are in motion in several parties, and having preyed and wasted about Wexford hath stormed Ross, killed twenty of your soldiers, taken sixteen barrels of powder with match and ball proportionable; but your soldiers held the church and an house lately fortified, and the enemy having stayed a night and a day did retreat with some loss; but took £700 of the inhabitants to save the town from burning. Commissary-General Reynolds, Col. Sankey and Col. Axtell[1] are conjoined before

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[1] Of Axtell, Ludlow has left the following short but fairly complete sketch (*Memoirs*, ii, 322): "Colonel Daniel Axtell had been captain, major and lieutenant-colonel in a regiment of foot [Hewson's]; in the last of which employments he had assisted at the trial and execution of the late King [*cf.* on this point Gardiner, *Civil War*, iv, 300-301]. When Lieutenant-General Cromwell was sent by the Parliament into Ireland with an army against the rebels and the regiment in which Col. Axtell served was drawn out by lot for that expedition, he cheerfully undertook the employment; and for his fidelity, courage and conduct, was soon preferred to the head of a regiment; and not long after was made Governor of Kilkenny and the adjacent precinct, which important trust he discharged with diligence and success. In this station he shewed a more

Ballybawn, Fitzpatrick's stronghold in the King's County, and, as we hear, Fitzpatrick, Westmeath and Grace's forces are gathering together to remove the siege if they can. Another body of the enemy, said to be 2000, were the 30th September at Mullingar, attempting the castle there and burnt part of the town; but were beaten off with the loss of forty men on the enemy's part and several of their officers wounded. But (*sic*) Sir Theophilus Jones, having two troops with him, came very seasonably, and the enemy left the place and in a bog left six of their horses. This morning we hear that Scurlock and his party, that had been at Wexford and Ross, are now in a body in Wicklow within six miles of this place. They are reported to be about 2000 horse and foot; but here is no force to remove them. Col. Cooke and Col. Pretty are to attend their motions; but where they are at present we do not understand. By this you may discern how active the enemy is and how your forces are not idle.

"As to your sea affairs in these parts, we have not seen nor heard of any one Parliament ship between Carrickfergus and Waterford since July, so as the enemy at sea hath done much mischief. One Bartlett about Carrickfergus hath taken vessels out of the harbour, landed men on shore and taken men out of their houses; and as to Wexford, there was of late a ship of three guns that hath taken eleven English barks at that port, and none dare go out or come in there for want of clearing the seas, which is a great hindrance to the fishing and other trading at this season, so as your customs and excise must needs sink if not prevented. It is no small trouble to us to see that that little part of this wasted country that do pay contribution is so preyed and burnt by the enemy, that we know not how the poor soldiery can (out of their assessments) be paid; but for this must and do most humbly pray[1] may be sent to your forces here in the several parts of the nation, which we humbly present to your care and beseech the Lord to teach us

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than ordinary zeal in punishing those Irish who had been guilty of murdering the Protestants [Ludlow ought to have added that he was temporarily suspended from service by Ireton for his brutal behaviour towards the Irish]; and on this account, as well as for what he had done in relation to the late King, the Court had procured him [1660] to be excepted out of the Act of Indemnity." He was executed on 19 Oct. 1660. (*Pepys' Diary*, i, 264.) A curious proof of how he was feared by the Irish is to be found in Fitzpatrick's stipulation (below, p. 150), that he should not be placed under his power.

[1] Some word like money omitted in the original.

to submit to his holy will and to believe and wait, that he may be gracious to us." 8 Oct. *Ib.* ff. 146-8.

61. SAME TO THE COMMANDER-IN-CHIEF OF THE SQUADRON APPOINTED FOR THE GUARD OF THE IRISH SEAS, AND IN HIS ABSENCE TO CAPTAIN JOHNSON OR ANY OTHER.

"Captain Bartlett with his vessel and one other private frigate of twenty guns, who lately came from the Isle of Man, with some cavaliers and goods, lies this morning (as we are certainly informed) on the south side of the mouth of this Bay, in expectation of making prize of some ships, that they have intelligence are coming hither laden from Holland and France and other parts, to the endangering of the loss of all trade in these parts. We therefore hereby order and require that Captain Johnson, or some other good ship of sufficient force, be forthwith speeded thither to look after those pirates and to open a way for trade in these seas. They have taken to them some fisher boats wherewith they did, as we are informed, intend to come by night, and cut the cables and carry away the ships now lying in the harbour, and this was attempted the last night by those boats; but they were beaten off and so disappointed. This being a matter of great importance to the Commonwealth we have sent the bearer as an express to give you notice hereof and to require your assistance, whereof you are not to fail." 10 Oct. *Ib.* f. 158.

62. Ordered by the Commissioners that Captain Stephen Rich, commander of the *Jacob* of Dublin, be authorised to press six sea-men for the service of the Parliament. 13 Oct. Orders A/82. 42. f. 37.

63. Ordered by the Commissioners that the goods of Henry Taylor, deceased, Nath. Markes, Thos. Hartup, and Christopher Napper, convicted of coining base money, be sold before they depreciate in value. 13 Oct. *Ib.* f. 38.

64. THE COMMISSIONERS TO COLONEL COOKE, GOVERNOR OF WEXFORD.

"Last night we received a letter from you acquainting us with the good news of the routing and dispersing those Irish foot that were marching over the Barrow, and about three days before we received another intimating the great straits of the garrisons and forces under your command. We perceive withal that our letters of 29th August and 2nd September were not then come to your hands; but we hope by this time they may be sent you. We send you here enclosed a copy of our last letter to the Lord Deputy, so far as it concerned your forces and the condition of your precinct, as likewise our letter now prepared for the Commissioners of the Public Revenue at Wexford. The supplies of rye and cheese mentioned therein, had been sent away to them some days since; but two pirates with frigates of great force rove hereabouts and hover about the mouth of our harbour, so that as yet we dare not venture the bark we have laden under the convoy of Captain Rich's small frigate. We have sent orders to other garrisons for the buying in and storing up of good quantities of bread-corn and other grain; but we forbear to send the like into your quarters, not knowing how the same can be put in execution, but we would be glad to receive your advice therein, and, if you think such orders in your parts may be of any use, upon the first notice thereof given by yourself, we shall speed them away to yourself or Commissioners of Revenue; but if no corn can be gotten in your quarters, we hope you will take the best course you can that the enemy do not make use thereof; and for the supply of the garrisons we desire you to let us know what quantity of bread or other grain or cheese will be necessary for relief of your garrison under your command, and we will write as effectually as we can to the Council of State for the same." 13 Oct. Domestic Corresp. A/89. 49. f. 161.

65. Ordered by the Commissioners that, whereas the excise on salt is evaded by salting herrings at sea, three shillings be levied on every barrel of salted herrings or salted codfish exported. 16 Oct. Orders A/82. 42. f. 44.

66. THE COMMISSIONERS TO COLONEL FOWKE.[1]

"You will understand by the enclosed [wanting] copy of an examination taken lately at Dublin that John Lorgan[1] of Kilclocher[2] in the County of Louth, who conveyed Sir Thomas Armstrong[3] to the Isle of Man, upon inquiry made after him, is fled leaving his boat in Bullock,[4] which is seized on. We desire you to endeavour to apprehend him and diligently to inquire of him whether he did deliver the letters, mentioned in the examination, to Mr Baxter, and what were the contents thereof and from whence they were written. . . ." 18 Oct. *Ib.* f. 163.

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[1] Lieut.-Col. Francis Fowke, or Foulke, received a commission as Sergeant-Major in Col. Richard Townshend's regiment appointed for Ireland in 1646.

67. SAME TO THE COUNCIL OF STATE.

"Having this opportunity of the safe conveying of our letters by Captain Sherwine, who came this morning to anchor in this harbour, in his way to the Isle of Man, and having no time to send your Lordships a particular account of your affairs here, we thought fit humbly to acquaint you that two pirates riding in this Bay, near the mouth of this harbour, for the space of sixteen days last past, took very many prizes and ruined many people, and on Saturday last took a vessel coming to this harbour from Chester water, wherein were many passengers, who disputed with the pirates until by

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He served during the war and was appointed Governor of Drogheda. He received lands at Camphire, co. Waterford, in settlement of his arrears; declared for the Restoration, and seized Youghal in the interest of the Coote-Broghill faction.

[1] *Hib.* O'Lorcain.

[2] Killclogher, now called Clogher, a few miles north of Drogheda on the coast.

[3] *Cf.* Gilbert, *Contemp. Hist.*, ii, p. 160. Sir Thomas Armstrong (probably third son of Andrew Armstrong and ancestor of the Armstrongs of Ballycumber), received a commission as Quartermaster-General of the Horse in Ireland on 4 Feb. 1640 (*Cal. State Papers*, Irel., 1633-1647, p. 235). He served during the war as a Parliamentarian till the execution of Charles, when he went over to Ormond's side and was rewarded with a baronetcy. He took part in the battle of Rathmines and was one of the defenders of Drogheda. During a sortie, when most of his men were cut off he managed to escape to the Isle of Man, where he commanded in the interest of the Countess of Derby till 31 Oct. 1651, when he surrendered Castle Rushen on terms to Col. Duckenfield. (*Hist. MSS. Comm.*, 5th Rept., App., p. 342.) He took part in the royalist plot against Cromwell in 1655, was arrested and afterwards transported to the West Indies. (Thurloe, *State Papers*, i, 712, 720; Ludlow, *Memoirs*, i, 417.) At the Restoration he received a grant for coining brass and copper farthings and was reappointed Quartermaster-General of the Horse; but died in Nov. 1662. He was succeeded by his son, Sir Thomas, who was executed in 1684 for his share in the Rye House Plot. (*Cal. State Papers*, Irel., 1660-1663, pp. 75, 280, 633.) The account in Burke's *Peerage* and *Landed Gentry* apparently confuses father and son.

[4] Bullock harbour between Dalkey and Kingstown.

grenados thrown aboard them by the enemy their powder was fired, and many of the passengers destroyed; and the same morning took the packet-boat coming from Holyhead, wherein (as we are informed) were some despatches from your Lordships and a mail of Acts to be conveyed to us, which we mention that your Lordships may be pleased (if you conceive it necessary) to order the said despatches to be transcribed and sent, we having received no signification of your Lordships' pleasure concerning the affairs committed to our care since we came to this place, except one express brought us in the north touching an expedition into Scotland.

"This morning Captain Sherwine took one of the pirates, whose name is Willmot, being captain of a vessel of six guns. Major Meredith [1] with sixty horse, about fourteen days since, was pursued by Col. Reilly with 120 horse; in which engagement Col. Reilly was slain and some other ten prisoners, and thirty horse taken and the whole party defeated. Upon the 10th of this month Meelick Island in the Shannon, between Portumna and Ragharah [2] was taken by Sir Charles Coote's forces, a breach being made, your forces stormed twice and were both times repelled; but the third time the place was carried, 140 killed and drowned, 200 taken prisoners, besides officers, whereof eight captains. These were part of Fitzpatrick's forces. Col. Venables fell sick and was brought to Carlingford, where he was for some days speechless; but we are informed this day there is some hope of his recovery. Col. Barrow commands those forces in Col. Venables' absence and is marched towards Cavan. In his march he took Castle Mough [3] being the Lord Slane's house and garrison; but himself was not there. The place was surrendered upon mercy: the half of them had quarter for life and the other half executed.

"Upon the 11th of this month Col. Cooke, Col. Axtell and Col. Pretty, with a party of 600 horse and 400 foot engaged Dungan and Scurlock with that party which stormed Ross, being in number about 2000, at a ford upon the Barrow, near Monasterevin and worsted them, their foot being totally routed, and as many of them as our force could overtake, before they got into the bogs and woods, were knocked in the head; yet the same party are again drawn together and are now about the Naas twelve miles hence, being reported to be 3000 through the conjunction of other forces. The O'Dwyers and several gentlemen in Tipperary and the Lord Muskerry in the south have drawn great numbers together. We do conceive there is some intendment of a general rising: agents from several counties being sent unto us to know what the people shall trust to concerning their lives and religion. The Lord Deputy, to prevent their rising, hath given order for the securing of several gentlemen in Tipperary and those parts.

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[1] Major William Meredith was the son and heir of Sir Robert Meredith of Greenhills, co. Kildare, Chancellor of the Irish Exchequer. He was an active '49 officer, and was chosen an agent for the setting out arrears to the Army. He married in 1655 Mary, daughter of Sir Robert King, and succeeded to the title on the death of his father on 17 Oct. 1668; but died without issue.

[2] Rachra, now Shannon Bridge.

[3] Evidently Muff, between Kingscourt and Bailieborough, co. Cavan. There are still the remains of a castle there.

"We are informed from Limerick that all kind of provisions are very plentiful and cheap at the leaguer, and that the soldiers have built them houses and stables and made provision of forage for all winter; but it is hoped the town will be necessitated to surrender shortly, it being much visited by the plague and in want of provisions. If it proves a winter siege it will go very hard with many of your garrisons and quarters, unless a considerable supply of force come from England to prosecute effectually the reducing the country to your obedience, which we humbly desire, as we did in a former letter, that a considerable party of horse and foot may be sent over with speed sufficiently armed, clothed and otherwise provided for of pay, which will contribute much to a speedy reducement of this island, your forces being grown thin through sickness, hard marches, and their being divided into several parties in your service. . . ." 22 Oct. *Ib.* ff. 164-6.

68. SAME TO THE COMMISSIONERS AT BELFAST.

"We have received yours of the 13th of this month, and for your giving licence to fish at Loch Ryan in Scotland we conceive you have done well in not meddling with it, there being fish enough upon this coast to employ more boats than you have. . . . We are glad to hear of Col. Venables' recovery. . . ." 27 Oct. *Ib.* f. 170.

69. SAME TO THE COUNCIL OF STATE.

"Whereas by a late letter we did represent the necessity and our humble desires of your Lordships' care in furnishing the treasury at Dublin with £2500 *per mensem* for the months of October, November and December, towards the payment of the forces within this precinct, and for that end did desire so much money might remain in the Treasurers' hands at London to be drawn upon them by Bills of Exchange. But we finding money so scarce here that it cannot be taken up, and that there is not at present in the treasury here one week's pay for the forces in this precinct, it hath necessitated us by this post to acquaint the Treasurers-at-War at London and also their Deputy (whom we hear is now at Chester, coming over hither) with our condition, and to desire that £2500, for supply of this month of October, may be speeded to us either from London or from Chester, to be taken up there by Bills of Exchange, in the which we humbly desire your Lordships' furtherance, and also that the like sum of £2500 *per mensem* for the months of November and December may remain in the said Treasurers' hands to be drawn by us by Bills of Exchange as aforesaid, or else to be conveyed to us in specie from London.

"We gave your Lordships a former account that we had issued out warrants for the furnishing of all the out-garrisons within the counties of Dublin, Kildare, Carlow, Trim[1] and Westmeath for three months, with a competent store of bread-corn to be taken up in the countries, and paid for according to such rates and prices as the like grain was sold for on the last market-day in September; but not being able to make competent provisions of grain to furnish the stores at Dublin, for the necessary subsistence of the soldiery to be maintained there this winter, and the further furnishing the aforesaid garrisons, we humbly pray that 1000 quarters of wheat, 100 tons of cheese, and 1000 quarters of rye may be, in convenient time, sent hither from England or Wales; which provisions we desire may be paid for out of the money assigned for Ireland, to be raised by sale of Delinquents' estates, and not to be abated out of the £2500 *per mensem*, desired to be sent hither in specie as aforesaid. By our letters of 18th September we acquainted your Lordships with the small store of powder, match and bullet in the stores here, and desired that 200 barrels of powder at least, with match and

[1] *I.e.* Meath.

bullet proportionable, might be sent hither with what speed might be; since when that small store of ammunition is exhausted to that low proportion as is not fit to be committed to paper for your Lordships' better information. We do humbly and earnestly pray that the said proportion of ammunition may be hastened to us.

"We cannot give your Lordships full assurance that Limerick is reduced, having no despatch concerning the same from the Lord Deputy or any officer engaged upon service; but we have within these three days received information from Wexford and from Athlone that the place is surrendered to the Lord Deputy,[1] upon what terms we yet hear not. In the meantime the enemy in several parts are gathering together in bodies and commits great spoils upon our quarters, which will much lessen the monthly contributions from thence expected. Sir Walter Dungan, Commissary-General of the rebels' horse, whose forces were lately dispersed by Col. Cooke, are embodied again in the County of Wicklow, and, by the accession of the Lord of Westmeath[2] and other forces, are now between two or three thousand horse and foot in the County of Wicklow. Col. Hewson, Col. Cooke and Sir Theophilus Jones, with about 1500 horse and foot, looking after them." 28 Oct. *Ib.* ff. 174-6.

70. SAME TO COLONEL HILL.

"The additional directions and resolutions you desire in yours of the 13th inst. from the Newry (which are come to our hands) you shall hereby these receive. The Order[3] we lately sent you touching sequestration did point at those that have been sequestered in England, and as for others we leave you to pursue your former Instructions, so far as the same appear to be for the advantage of the State and increase of the Public Revenue. We usually allow the wives and children of Delinquents some part of the sequestered estate, not exceeding a fifth part, provided that they, to whom it is allowed, be under protection, and that their portion be liable to contributions equally with others; and we leave it free to you to grant the same allowances, where you shall find just and equitable grounds for it. As to the particular persons you mention, whose necessitous conditions require the like relief, we are willing they and their families should be looked upon as capable thereof, whether they have wives or not; but in all cases where sequestrations are actually made, the personal estates of Delinquents as well as the real ought to be sequestered. For Col. Conway's [1] estate we shall do him right upon his petition, when he appears before us; but in the meantime the sequestration on the Lord Conway's estate is to be prosecuted. As for those that plead particular articles for exemption from common charges and contributions (as Col. Trevor [2] does) we desire you to examine them and certify us how you find them and what your judgment is upon them. As to the supplying of the defects of contributions of wasted counties out of counties that are solvent, our meaning is very much misunderstood therein to our prejudice. The thing we had in our eye, and most immediately in our care, was the making of a certain provision for the forces, without which the British quarters cannot subsist, and not [the] favouring the Irish, which may easily appear by the power given to the Commissioners of the Revenue, to assess and levy what is assessed upon the Irish quarters, so far as the same can be levied; and we conceive that those defects of the Irish counties, with the increase of the assessment, will not amount to so much upon the British, as the ease they have by taking of[1] dry quarters and other irregular taxes. We pity the nakedness of the soldiers; but they have clothes coming over from England, as we are assured by Mr Rowe's[2] last letter, and yet in the meantime you shall do well to furnish them with shoes and stockings during their instant necessity, which must be defrayed by the excise or some other way." 28 Oct. *Ib.* ff. 179-80.

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[1] Limerick surrendered to Ireton on 27 October.

[2] Richard Nugent, second Earl of Westmeath, succeeded his grandfather, Richard, the first Earl, in 1642. Being in England at the time he returned to Ireland in 1644, took his seat in Parliament and in 1645 raised a regiment of foot for the King's service. He was instrumental in bringing about the Peace of 1648/9, and after Ormond's retirement co-operated with Clanricarde, being appointed general of all the forces in Leinster. He submitted to the Parliament on the Articles of Kilkenny in May 1652 and was allowed to transport himself abroad; but returning in 1659 he was arrested and imprisoned. He recovered his liberty and estates at the Restoration and died in 1684.

[3] See No. 56.

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[1] This was Col. Edward Conway, son of Edward, second Viscount Conway and Killultagh, whom he succeeded in 1655. The political principles of the Conways, father and son, resembled those of the famous Vicar of Bray, their sole object being to preserve the large estates in England and Ireland amassed by the founder of the family, Sir Fulk Conway, in James I's reign. In this policy they were eminently successful. Col. Edward was created Earl of Conway in 1679 and died in 1683. A characteristic letter from Rawdon to Lord Conway, 20 Nov. 1651, on the subject of the sequestrations is printed in the *Calendar of State Papers*, Irel., 1647-1660, p. 283.

[2] Col. Marcus Trevor, son of Sir Edward Trevor of Rosetrevor, co. Down, who died about 1642, served in Ireland at the beginning of the Rebellion, but coming to England with the Irish levies in 1643 he fought on the royalist side at the battle of Marston Moor. Returning to Ireland he took an active part in the war, but with Lords Montgomery and Moore submitted to Cromwell at Clonmel in April 1650. He was however considered a dangerous person and a sharp eye was kept upon him by the Government. He supported the Restoration, was one of the knights of the shire for co. Down in Parliament in 1661, and being created Viscount Dungannon in 1662 died in 1670. See Life in *Dict. Natl. Biog.*

71. SAME TO COLONEL AXTELL AND THE REST OF THE COMMISSIONERS OF REVENUE AT KILKENNY.

"Yours of the 22nd inst. are come to our hands, which acquaints us with your readiness (in pursuance of our last order) to store your garrisons with corn this winter, but that the ruinous, wasted condition of your quarters hinders and crosses your compliance therein. We are sorry to hear of the difficulties you have been and do still lie under. We desire you to make provision of 600 barrels of corn that your letter did mention. We do not know at present where to lay the payment for the same but upon the contributions, at three payments in the months of December, January and February. We have written as earnestly as we could to the Council of State for money to supply our necessities, which are very great in all parts, and we do believe the letters from thence in answer to ours were cast away when the packet was lately taken, so as we know not what provisions are designed for your quarters. . . ." 28 Oct. *Ib.* f. 182.

72. SAME TO THE PARLIAMENT.

"We have this day received intelligence from Col. Sankey, under his own hand, of the news of the rendering of Limerick unto my Lord Deputy, a copy whereof [wanting] we send you enclosed. We doubt not but his Excellency will give you a full account of this great and seasonable mercy, as soon as the difficulty of the passage from the place where now his Lordship is will permit. We shall only add that the enemy hath considerable parties in several parts of this nation, whereof we have lately given particular account (so far as hath come to our notice) to the Council of State; and the forces before Limerick, and those that have been in continual marches in attending the motions of the enemy all this summer, have been much wasted, especially the new recruits, so as there will be a necessity of more forces to be sent over, which we do beseech you to consider of, so as this work may be vigorously carried on and your servants here enabled to reduce those enemies, that we hope are gathered together, that, in the Lord's due time, they may be destroyed. We are now preparing to go to Athlone, fifty miles from this city, upon the Shannon, my Lord Deputy holding that to be the most fit place for the head-quarter this winter, where we shall meet his Lordship in order to settle those parts and put in execution such orders as we have or shall receive from the Parliament." 28 Oct. *Ib.* ff. 184-5.

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[1] *Sic*; but the sense requires "off."

[2] Mathias Rowe, apparently to be identified with the Mr Rowe who was sent to Ireland in 1647 as Secretary to the Commissioners appointed by Parliament to receive the surrender of Dublin from Ormond (*Hist. MSS. Comm.*, 8th Rept., App., p. 212.) He afterwards found employment under the Commonwealth in managing the details of the Cromwellian Settlement; but there is considerable difficulty in distinguishing him from certain other Mr Rowes of the period.

73. Same to the Council of State.

Renewing request for clothes, provisions etc. for the army. "The continual duty and long marches of all your forces in all parts this summer hath much wasted your men, and they do daily fall sick and drop away, and the enemy doth rather increase, especially of late, being heightened with the contributions and supplies they have gained in all our quarters this summer. At Ross they took £5000[1] in money and sixteen barrels of powder, and to this day they daily prey and drive away cattle in all parts to the very doors of our garrisons. We are informed by one, that is lately come from the camp before Limerick, that assured us that 2000 of your forces, most of them the late recruits, died there this summer, and many do daily there fall sick; and the like we hear from all parts in the several quarters, so as there is necessity of supplies to be sent over." 28 Oct. *Ib.* ff. 185-6.

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[1] But see above, pp. 61, 63.

74. SAME TO SIR CHARLES COOTE.

"Captain Sankey[1] of Sir Theophilus Jones' regiment is a prisoner with Sir Walter Dungan, and now at liberty upon his parole. He is one that we value for his fidelity and good service, and not having here any prisoner of the enemy's of his rank, Sir Walter Dungan hath proposed that Capt. Richard Talbot,[2] lieutenant to Sir Walter Dungan, and some others may be released for him. We pray your Lordship therefore to give the said Richard Talbot his liberty. . . ." 28 Oct. *Ib.* f. 187.

75. SAME TO THE COUNCIL OF STATE.

"Necessity enforced us to draw upon the Treasurers-at-War £1000 for payment and satisfaction of merchants, whom we contracted with for corn to be delivered into the public stores, and we have given order to Alderman Daniel Hutchinson to take up the same here and charge it upon the Treasurers by Bills of Exchange. This sum we humbly desire may be ordered by your Lordships to be punctually paid out of such monies as are, or shall be appointed for the service of Ireland out of the sale of Delinquents' estates, or out of any other treasure, besides that which is immediately designed for the monthly pay of the army here." 30 Oct. f. 190.

76. Ordered by the Commissioners that Col. Hewson do raise 400 men for the public service. 30 Oct. Orders A/82. 42. f. 51.

77. Ordered by the Same that all engrossers of corn and victuals be strictly punished. 7 Nov. *Ib.* f. 56.

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[1] Captain Henry Sankey, taken prisoner as related above, p. 38, was conjecturally a nephew of Col. Hierome Sankey, with whom he seems to have come to Ireland in 1649. He was charged with and tried for (1652) the murder of an Irishman (Hickson, *Irish Massacres*, ii, p. 230) but was apparently acquitted.

[2] Youngest son of Sir William Talbot, better known to his contemporaries a little later on as Col. Dick Talbot, and to posterity as the famous Duke of Tyrconnel. He was at this time barely twenty-one years old, and had already an adventurous career behind him. He surrendered next year and left Ireland for Spain in the company of his nephew, Sir Walter Dungan. See Life in *Dict. Natl. Biog.*

78. THE COMMISSIONERS TO THE COMMISSIONERS OF DERRY.[1]

"... We hope upon the drawing of Col. Venables' forces out of the field, you will be able to discharge your country volunteer troop and bands, and so ease them of that duty they have undergone this summer. . . . The stipend you assign for Mr Lang [2] and your employing him in the ministry as you have done, in compliance with the recommendatory letters of the Lord Lieutenant is well approved of ; but he and all others that bear any office or receive any salary from the Commonwealth are to subscribe the Engagement. We have appointed Wednesday come fortnight next to be kept as a solemn day of thanksgiving to Almighty God for the delivering of Limerick into the Parliament's possession. . . ." 11 Nov. *Ib.* ff. 193-4.

79. SAME TO COLONEL VENABLES.

Expressing their satisfaction at his recovery and their recognition of his claim for arrears. "Brian O'Neill [3] (to whom we no longer allow that title of Baronet) setting forth his indigent condition here, whereunto he is reduced by being banished from his estate, and thereby deprived (as he alleges) from making any considerable benefit of it; wherefore, in regard the posture of affairs is now altered for the better, we are willing his banishment be recalled if you think fit, and accordingly return him to you, to take what security you please of him, and do otherwise as you judge most safe and consistent with the public peace." 11 Nov. *Ib.* ff. 195-6.

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[1] The Commissioners were Major Bolton, Ralph King, Owen Wynne and John Reeves.

[2] A certain John Lang was minister of the church at Ballymote, co. Sligo, at a salary of £50 ; but I think the reference is to a Mr James Lang, minister at Killashandra, co. Cavan, who likewise received £50 a year. For the terms of the Engagement, to be true and faithful to the Commonwealth of England as the same is now established without King or House of Lords, in its final form, see Gardiner, *Hist. of the Commonwealth*, i, p. 8 *n*. By order of the Parliament, 12 Oct. 1649, the obligation of signing it was made compulsory on all state officials, including all ministers admitted to a benefice. *Ib.* p. 197.

[3] Brian O'Neill, of the O'Neills of Upper Clannaboy (*Hib.* Clann-Aodh-Buidhe), comprising north-east co. Down, appears at an early age to have taken to the profession of arms (Hill, *Montgomery MSS.*, p. 367 *n.*) and is said to have seen service under the Prince of Orange in Holland. Returning to Ireland, he received a commission in the Irish army and was one of those officers to whom Charles' design of employing the army in England was communicated (Macguire's Relation in *Nalson*, ii, 546). Subsequently he went to England, and joining the King's standard, he was for his bravery at the battle of Edgehill created a baronet. Coming afterwards to Ireland he served under Ormond, and being taken prisoner by Preston, in 1647, he was exchanged for Captain Stephens (*Cal. State Papers*, Irel., 1633-1647, pp. 365, 640, 649). In the following year he appears to have fallen into the hands of Col. John Jones (*ib.* 1648-1660, p. 772). He survived the Restoration, dying about 1670. By his first wife, Jane Finch (of the Nottingham branch), he had one son, Sir Brian, who became Baron of the Exchequer in 1687 (*cf.* King, *State of the Protestants*, 4th ed., p. 70), and was apparently the author of a history of Ireland (*Hist. MSS. Comm.*, 8th Rept., Pt. iii, p. 40). His second wife was Sarah, daughter of Patrick Savage of Portaferry and Jean Montgomery, by whom he had also a son, Hugh. Both brothers adhered to the cause of James II, and by so doing forfeited what had remained to them of the family estates.

80. SAME TO COLONEL BARROW.

". . . We have lately despatched very earnest letters to the Commissioners of the Public Revenue, to be exceeding strict in collecting and levying the monthly assessments according to instructions given them, and to require that from solvent places, which is not answered out of waste baronies or counties that stand out; and we do not doubt their conformity therein; and since you yourself and Col. Venables are in the Commission with the rest, it will be much in your own power to see that the contribution be as well paid in Ulster, as it is in other provinces, and that your forces be in equal condition with others, so that no discouragement ought to arise to you or to the soldiers under your command in that respect. Col. Venables proposes to us about (*sic*) destroying and burning of that corn which the enemy in Cavan and other places have reserved for seed the next year, and he offers it as a fit means to distress, and so force the enemy from his bogs and fastnesses; but indeed we dare not at this distance interpose our advice in matters of that nature, nor will we give any order in it. You best understand how feasible the business is, and how little hazard there will be of wasting your men, or exposing your other quarters to the incursions of the enemies in attempting it, and therefore to your further deliberation and consultation we must leave it." 11 Nov. *Ib.* ff. 198-9.

81. SAME TO THE COMMISSIONERS AT BELFAST.

"We have now at last sent down Justice Dungan[1] into

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[1] Thomas Dungan, or more correctly Dongan, said by D'Alton to have been of the same family as Sir Walter Dongan (above, p. 32), was apparently the son

Ulster for the administration of justice in those parts. . . ." 12 Nov. *Ib.* f. 200.

82. Same to Colonel Venables.

"We have received some information that Mr Jerome O'Quin,[1] living in those parts, is somewhat embittered against the interest of England, and hath of late publicly expressed the same in prayers and other public exercises. We desire you to inform yourself of the matter of fact, and, if you find him under that temptation, we are of opinion that his service in the work of the Lord might be of much advantage in other parts of Ireland, as in Dublin, Limerick, or Kilkenny, or other parts where there are Irish that cannot speak English. . . ." 13 Nov. *Ib.* f. 202.

83. Ordered by the Commissioners that in accordance with the Order of Parliament for the assessment of taxes in Ireland, the Province of Leinster do pay the monthly charge of £4800, viz. Co. Dublin £800; City of Dublin £200; Co. Kildare £600; Co. Carlow £500; Co. Meath £1500; Co. Westmeath £500; Co. Longford £500; baronies in Queen's Co. £100; Barony of Ferrard in Co. Louth £100; to continue for six months commencing 1st November and reckoning twenty-eight days to the month. 13 Nov. Orders A/82. 42. f. 61.

of William Dongan, Clerk of the Hanaper. He is described as Counsellor-at-Law in 1644, in which year he succeeded Thomas Bavand as one of the Justices of the Court of Chief Place in Ireland. In 1651 he was created Third Baron of the Exchequer and retained his place at the Restoration; but in consequence of old age and bodily infirmity he resigned in 1663, his wife having predeceased him in 1653. D'Alton, *King James' Army List*, p. 259; *Cal. State Papers*, Irel., 1644, p. 349; *ib.* 1663, p. 9.

[1] Mr Jerome or Jeremiah O'Quin, a native apparently of Templepatrick, co. Antrim, graduated M.A. at Glasgow University in 1644. He was ordained Presbyterian minister of Billy near Bushmills in 1646. But, having by his refusal to condemn the execution of Charles I drawn down on him the censure of the Presbytery, he was suspended from his charge, together with the Rev. James Ker of Ballymoney. His and Ker's case was brought to the notice of Col. Venables, and a pamphlet entitled "News from Ireland concerning the proceedings of the Presbytery . . . against Mr James Ker and Mr Jeremy O'Queen," etc., published at London, 9 July 1650, won for the two ejected ministers the sympathy of the Independents. O'Quin, however, as the above letter shows, began to doubt whether he had acted rightly and finally reconciled himself to the Presbytery; but he was not removed from his charge at Billy. He died on 31 January 1658. His epitaph describes him as "pastor mollis." Both he and Ker, according to Adair, were "men of great reputation for honesty and zeal, though of little learning and no great judgement." Reid, *Hist. Presb. Ch.*, ii, pp. 41, 114, 234.

84. The Commissioners to the Lord Deputy.

"Your Lordship's letter of 7th October last came formerly to us; but wanting an opportunity of safe conveyance till this present we could not sooner give an account in answer thereunto. As to our sudden coming to Athlone we do find some difficulty therein at present—first, in regard Col. Jones's wife hath of late been and doth still continue in such weakness as there is little hope of life, and Mr Corbett's wife still is at the waterside at Chester coming over, but by contrary winds is still there detained; also we do not hear, since the rendering of Limerick, what motions or preparations are towards Galway or Roscommon, so as we know not whether the affairs in those remote parts of Connaught, from Athlone side, may not necessitate your Lordship's absence. But yet, if your Lordship shall propose to come to Athlone, and do judge our present coming to your Lordship thither to be of use and service to the public, we shall be ready to break through these difficulties and leave them as God in his providence shall please to dispose, and shall apply ourselves to attend your Lordship and the public service according to our duty.

"We have formerly by ours of 3rd September last given your Lordship an account of the provisions for the Ulster forces for six months from 1st inst. November; and as to Leinster forces we send enclosed a copy of the assessment for Leinster forces. As to Munster, we are at such a distance from them, and at such an incapacity to be informed of the posture of your forces there, and the condition of the country, as we do humbly beseech your Lordship to give such directions therein, as may be consistent with the condition of your forces there and of the country. As to the Precincts of Kilkenny, Wexford, and Waterford, we do find the condition of those parts to be such, as they cannot bear any increase, nor indeed not well able to endure what was laid on them the six months last past. As to the charge for the fortifying of Athlone and other incident charges, to make that place of use to the public service of this nation, we do fear whether they in England will take it well that such a charge be borne by them, and therefore, upon consideration had of the charge that that work is like to amount unto, are of opinion that it will be most fit that it be done at the public charge of this nation, it being likely that the benefit may and will arise thereby to the whole nation, and therefore [suggest] that £2000 be laid as a tax on the four provinces, by £500 on each province, and the same to be paid to some fitting person, to be laid out for that service; only this we humbly offer to your Lordship's consideration, and as we shall understand your Lordship's approbation thereof we shall cause the same to be done accordingly. As to the Commissioners for the Revenue of Connaught we do fully concur with your Lordship therein, and do hope within a little time that province may, by God's help, be so reduced, as our being there may be of more use than yet it is of, for the further settling the Public Revenue there. Our last letters from England, being two weeks' packet, and one by an express (as we hear) were met with by the enemy, and so they were thrown overboard, and since, (being four weeks) we have not any intelligence from England, the wind having been so tempestuous and contrary, so as we cannot hear how the Isle of Man doth stand at present." 13 Nov. Domestic Corresp. A/89. 49. ff. 203-5.

85. SAME TO THE SAME.

"We hold it our duty to give your Lordship an account of the low condition of the stores and treasury here. There is not in the stores 30 barrels of powder, and but very little corn, and, if corn be supplied out of the assessments of the country, we cannot see how the soldiers will be paid, the assessments being already too short for the pay of the forces near £2500 *per mensem*, and, except we have considerable supplies from England within very few days, we shall not be able to pay the soldiers upon their next muster. We have not one penny of money in the treasury but what we have borrowed to defray necessary incident charges, out of which we have ordered Major Sumner[1] to receive £100 towards defraying the charge of the fortifications at Athlone. This is the hardest pinch of want that your affairs here have been under since your Lordship came to Ireland; but we hope the Lord will open a way for supplying these wants in his due time. We did foresee these straits coming upon us, and have long since often and earnestly written to the Council for seasonable supplies in each particular, which we hope to receive by the next return." 13 Nov. *Ib.* f. 207.

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[1] Major Miles Symner, a '49 officer, was afterwards appointed a Commissioner along with Dr Petty, who describes him as "a person of known integrity and judgment," and Vincent Gookin, for the distribution of lands, on the basis of the Down Survey. His own arrears had not been settled in 1665, when he died. He was a benefactor to the Library of Trinity College, Dublin.

86. SAME TO COMMISSARY-GENERAL REYNOLDS.

"This day we had several letters from England, whereby you may perceive what great things God hath been pleased to do there of late. Guernsey and Jersey are now in possession of the Parliament's forces, as our letters inform us and as the particulars set forth; the Isle of Man also is totally reduced, as we hear from Captain Sherwine, that doth command a frigate for the Parliament that went thither to attend that service, being done,[1] was come to Beaumaris, and Captain Rich, that this day came from those parts, did speak with him, and he assured us of the truth thereof. A regiment of horse is now at Milford to come for Ireland also, and some foot are marching for the waterside; also direction is given for the forces in the Isle of Man, that can be spared there, to come for Ireland; clothes, ammunition and treasure are shipped and coming also for Ireland. The Scots' King, as the printed papers mention, is in Paris. The Lord St John, young Sir Henry Vane, Mr Richard Salway with the Lieutenant-general and Major-general are to go Commissioners into Scotland to settle affairs there.[2] Impart this to the head-quarters." 14 Nov. *Ib.* f. 208.

87. SAME TO COLONEL DUCKENFIELD.[3]

"Being informed by Captain Rich, who came on Saturday last to this harbour out of Anglesea, that the party under your command in the Isle of Man are in some distress for want of salt, and fearing these winds debar you from supply from England, we have despatched him to you with a small quantity of salt for your present supply, in case you stand in need of it, and to know the certainty how the Lord hath appeared with you in your great undertaking, and wherein we may be serviceable to you in the carrying on of the work committed to your care in the place where you are, and what number of the forces, now with you, are to be transported into Ireland, and for what part of Ireland they are designed, that quarters may be appointed for them. The quantity of salt is 26 barrels, which, at 14s. the barrel, amounts to £18. 4. 0, which we desire may be paid to Captain Rich upon delivery of the salt, so as the merchant, with whom we have contracted, may be satisfied ; but if you have no need of it, we have appointed him to bring the salt back. The freight of the salt is not valued in this price.

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[1] *Sic*; but the sense seems to require "which being done."

[2] The Commissioners appointed, 23 Oct., to go to Scotland to arrange a union with England were Chief Justice Oliver St John, Sir Henry Vane, Richard Salwey, Major-General Lambert, Major-General Dean, Col. Monck, Col. Fenwick and Col. Tichborne.

[3] Col. Robt. Duckenfield of Dukinfield, Cheshire. See Life in *Dict. Natl. Biog.*

"*P.S.*—We pray you to hasten away by the first opportunity the powder and ammunition, which is shipped for this place, whereof there is very great want. Limerick was rendered to my Lord Deputy on 28 October, and since that Clare Castle[1] is also rendered to Lieutenant-General Ludlow." 17 Nov. *Ib.* f. 210.

88. Ordered by the Commissioners that Wednesday, 26th inst. Nov. be observed as a day of public thanksgiving for the surrender of Limerick. 18 Nov. Orders A/82. 42. f. 69.

89. THE COMMISSIONERS TO THE COUNCIL OF STATE.

"In our last despatch we informed your Lordships of the surrender of Limerick ; since which time we are informed by Commissary-General Reynolds that Clare Castle is surrendered to Lieutenant-General Ludlow, and we hope that your forces in Connaught will lay a close siege on all sides to Galway. The Lord Deputy intends to make Athlone his headquarters this winter, and hath given orders for the building of some houses in the town, and fortifying of the same, as being conceived the most advantageous place for a strong inland garrison of any in Ireland, being seated on the Shannon and in the centre of the nation ; but the charge of the fortification, being estimated to amount to £2000, doth at this time (when we labour under so much want of money) very much discourage us to advise the prosecution of that work. Major Sumner, the engineer, was this last week in this town, sent hither to confer with us about that work, and to provide tools and other necessaries, and press artificers for that service, unto whom we advanced £100, which we were fain to borrow, there being no money in the treasury. We intend to wait on the Lord Deputy at Athlone as soon as we hear his Lordship is there, or that our being there may be of service to you, and shall take the best care we can that that place may be made useful for your service, and my Lord Deputy's design (in making that the station of a large party) be prosecuted.

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[1] Clare Castle surrendered to Ludlow on 5 November. For Articles of Surrender see below, No. 98 (i).

We have often troubled your Lordships with a representation of the state of your affairs in this province, therein setting forth the necessity of a constant supply of money for this place, wherein we propounded no more than what was of mere necessity for the carrying on of your service, nor indeed so much, as the state of affairs are at present. Our present want of money is very great, which we long since foresaw would fall upon us, unless prevented by your Lordships' care, as by our several despatches will appear, an abstract of which we have here enclosed sent to remind your Lordships of what we formerly writ. The necessity of carrying on your affairs here, and no signification of your pleasure made known unto us upon any of the said despatches, we did humbly conceive that your Lordships did approve of what we propounded in order to the said supplies. The Deputy-Treasurer [1] here, being now in England, and his deputy,[2] appointed in his absence, dying of the plague, we not knowing how else to supply the pay of the forces, did order Alderman Daniel Hutchinson to take up here two sums of £2000, each sum, and to charge the same upon the Treasurers-at-War, being propounded for the pay of these forces for the months of August and September. We have likewise caused to be drawn upon the Treasurers-at-War £1000, for corn delivered into the stores by Mr Vanhoven,[3] in part of a greater sum due to him, without which corn your forces could not have subsisted ; and a good part of that corn is already spent in your service for your forces. There are delivered into the stores here 1200 cassocks and breeches, better cloth and larger than the clothes sent hither the last year. They stand in about 16s. 4d. the suit, and amount unto £971. 5. 0; for which we have caused a Bill of Exchange to be drawn upon the Treasurers-at-War, which we humbly desire may be, by your Lordships' order, satisfied, we having formerly acquainted your Lordships with our purpose to provide some clothes here unless your Lordships signified your pleasure to the contrary. We humbly desire the clothes provided by your Lordships' care for all your forces may be hastened, there being great want of them.

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[1] Jas. Standish.

[2] John Houghton: original will in Public Record Office, Dublin.

[3] Gerard or Garrett Vanhoven or Van Howen, a native of Amsterdam, settled down as a merchant at Dublin and obtained letters of denization in 1646. He seems to have had a good deal to do with the provisioning of the army during the war, and died intestate in 1661.

"Your Lordships, the 18th July last, ordered £8000 to be sent to Carrickfergus for the forces in Ulster, and because that money is not yet come, we were necessitated to give order to the Commissioners of the Revenue in Ulster to charge the Treasurers-at-War with £2200 of the said £8000, and to Alderman Hutchinson with £1000 of the said £8000, both which sums were for the forces under Col. Venables' command. The residue of the said £8000 is, by my Lord Deputy's order, appointed for Sir Charles Coote's forces (part of the Ulster forces in Connaught) which may better be conveyed to him from hence than [from] Ulster. We mention this to the end the said remainder (being not yet sent over) may be sent hither for Sir Charles Coote. The sense of the straits your affairs are in here, for want of money, makes us presume to be thus troublesome to you, assuring your Lordships that less than £2500 *per mensem* for the months of October, November and December, besides what is already charged from hence, will not carry on your service here for the Leinster forces within Dublin Precinct. As for such sums as you shall please to send into Ireland we beseech your Lordships they may come with the clothes, and that money may be provided.

"*P.S.*—We have issued out orders for the furnishing of the stores at Trim, Mullingar, Carlow and Athy with 5000 barrels of corn, and all the other garrisons in this province with three months' provision of corn, the said corn to be brought in by the country, and to be paid for out of their assessments, we having no other way left to provide bread for the soldiers, and to have stores in those places the next spring, without which your forces cannot march forth, there being no bread to be had for them, but what they carry with them. This we mention that your Lordships may better perceive what necessity there is of answering the former Bills charged upon the Treasurers, and continuing the supply formerly desired of £2500 *per mensem* for these three months for this place." 19 Nov. *Ib.* ff. 211-4.

90. SAME TO THE COUNCIL OF STATE (ENCLOSED WITH THE FORMER).

"We have formerly given your Lordships an account of some discoveries made by us here of counterfeiting gold and other English coin, and sending over from England great sums of counterfeit, base and clipped money, and also given your Lordships the names of some parties we have in prison here, and of some of their confederates in London viz. Thomas Hartup, Major Richard Hill in Woodstreet and one Booth a goldsmith in Cheapside. The matter appears in our judgment to be of high concernment, and the rather for that advice came in a letter from London from one of the parties concerned, which we have good grounds to believe to be the hand of Major Hill (having compared the superscription of that letter with other letters of his in our custody) for poisoning Christopher Jones now in prison here, who made the first discovery and fixed it upon Hartup. We do humbly desire your Lordships' pleasure and speedy direction what your Lordships please to command us to do further therein." 19 Nov. *Ib.* f. 218.

91. SAME TO CHARLES WHALLEY AT CHESTER.

"We understand that the £8000 appointed for the Ulster forces, by order of the Council of 10th[1] July last, is now sent to you to be transported thither; but, forasmuch as divers of the forces heretofore belonging to that province are now in Connaught, the Lord Deputy hath ordered the greatest part thereof to be sent into Connaught for supply of those forces there. We pray you therefore to send hither the said £8000, or so much of it as is in your hands, and we will take order to see it distributed to the several provinces according to the Lord Deputy's directions for the several forces of Ulster." 19 Nov. *Ib.* f. 220.

[1] *Sic: recte* 18th. *Cf.* No. 89.

92. SAME TO THE SPEAKER.

"We have not any late news since the taking of Limerick, but that Clare Castle in the County of Thomond [Clare] is rendered to the Lieut.-General. At that castle lay our great guns, surprised the last summer by the enemy as they were carrying thither to batter the place. It is also reported by the enemy that the Lord Deputy hath caused four of the twenty-two excepted persons by the Articles of Limerick to be shot, the Bishop of that place being one of them. The Governor thereof is also a prisoner." 19 Nov. *Ib.* f. 221.

93. SAME TO LIEUTENANT-GENERAL CROMWELL.

The same letter *mutatis mutandis*, with following addition. "We humbly desire your Lordship's furtherance in procuring the supplies of money and other particulars in our letters to the Council mentioned to be expedited, which will be a special obligation upon yours etc." 19 Nov. *Ib.* f. 221.

94. SAME TO COMMISSARY-GENERAL REYNOLDS.

"We received yours of the 11th inst., and as to Major Sumner we hope he is long before this come to you, and we hope the works and reparations at Athlone are in such a good forwardness, as the season of the year and the small helps now to be gotten will well permit, and we believe your eye and care will much further the same. As to the providing of corn we do hold it a very necessary work, and do desire you to commend it to the Commissioners of the Revenue within Connaught, to make timely provision of what corn can be gotten out of Roscommon, or the islands, or other parts in Connaught side, and that a fit person of trust be appointed to take care of the corn and hay that shall come into the public stores there. As to the corn out of the adjacent parts to Athlone on Leinster side, we have conferred with the Commissioners of the Revenue of this precinct, and have ordered that the baronies therein mentioned do bring in the quantities of corn mentioned to Athlone, which we do beseech you to give some direction to some of the forces with you to see the same made effective; but as to the payment thereof, the same must be made out of the treasury by my Lord Deputy's order, of which we have written to my Lord Deputy, and do desire that you would see the same done accordingly. As to the Barony of Kilkenny[1] to be assigned to your troops, we shall be ready to give you all furtherance therein; but at this distance cannot give any positive order therein; but we hold most fit that business of that kind be done by my Lord Deputy and his immediate order. But this we shall further confer with you about at our meeting with you, and do desire to hear from you where my Lord Deputy now is and when he doth come to Athlone, that accordingly we may dispose of ourselves in order to our coming thither." 22 Nov. *Ib.* ff. 236-7.

95. SAME TO THE LORD DEPUTY.

"In our last of the 13th present (a duplicate whereof we herewith send lest the former might miscarry) we gave your Excellency an account of the state of your treasury and stores; since which time there is little alteration in either. What supplies are like to be had for this place will appear to your Lordship by perusal of the enclosed copy [wanting] of Mr Rowe's letter to us. The whole ordered for supply of the defects in the treasury here is but £6000, whereof £4000 we have drawn upon the Treasurers-at-War for supplying the defects in the months of August and September, and for the months of October, November and December. We did by many despatches move the Council that £2500 *per mensem* might be ordered for this place, there being no other way, visible to us, left for supplying the defects in those months, but out of the English treasury; but we find no other provision made than the remainder of the said £6000, so that unless your Excellency be pleased to direct some course for supplying the want of the treasury here, we cannot discern how your forces in this precinct can be paid up, upon an equal foot of account with the rest of your forces in other parts; the treasury here being already indebted (for money borrowed upon account of the Bills which the Treasurers gave for £2500, part of the said £6000, and mentioned by Mr Rowe), the sum of £1400, which with the £4000 above mentioned makes the sum of £5400, so that there remaineth but £600 of the said £6000 unissued.

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[1] *I.e.* Kilkenny West in co. Westmeath.

There is £2000 of the £4000 we charged upon the Treasurers, which Mr Rowe saith he cannot tell whether they will answer the same or no. Besides the defects above mentioned, there is another charge now drawing on, which will lessen the Revenue of the assessments for the next three months very much.

"Upon consideration had of the necessity of furnishing your stores and garrisons with corn, and of the course your Excellency formerly prescribed in that particular, we have (upon advice with Col. Hewson, Sir Robert King[1] and others) issued out orders for the furnishing of the stores at Trim, Mullingar, Carlow and Athy with 5000 barrels of corn, and all other garrisons within this precinct with three months' provision of corn, the said corn to be brought in by the country, and to be paid for out of their assessments for the months of December, January and February. What this corn will amount unto cannot yet be certified; but it is very certain that, unless some course be taken for the supplying of what shall be defalked for the said corn out of those said months' assessment, the pay of the said forces will fail. All which we humbly conceive necessary to offer to your Lordship's consideration.

"We hope in a short time to wait on your Lordship in Connaught (although the obstructions which lie in the way of some of us be not yet removed) where we may have opportunity to represent the aforesaid particulars at large. As to the great fault laid to Alderman Hutchinson, we are glad to hear that

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[1] Sir Robert King, brother of Edward King, Milton's friend, and brother-in-law of Sir Gerard Lowther, Chief Justice of the Common Pleas, Ireland, was the eldest son of Sir John King of Boyle Abbey, co. Roscommon, and his wife Catherine, grand-niece of Sir William Drury. He became Muster Master-General and Clerk of the Cheque in 1618, and, being knighted in 1621, he represented the borough of Boyle in Parliament in 1634 and 1639, and was returned M.P. for co. Roscommon in 1640. In November 1641 he was appointed Governor of Boyle Castle, but retired to England the following year, and taking the side of the Parliament he was appointed a commissioner for the affairs of Ulster in 1645 and a commissioner to receive the surrender of Dublin from Ormond in 1647. In May 1651 he was made a commissioner of the public revenue and shortly afterwards a trustee of Trinity College, Dublin. On 23 May 1653 he was appointed an overseer of the poor within the city and precinct of Dublin, and in Nov. that year he was sworn a member of the Council of State. He represented the counties of Sligo, Roscommon and Leitrim in the united Parliament in 1654, and in Nov. 1655 order was given for the satisfaction of £1224. 17s. 6d. due to him in the Barony of Clanwilliam. He died in 1657 and was succeeded by his eldest son, Sir John, afterwards Baron Kingston. *Cf.* Lodge, *Peerage*, iii, 223-226.

Alderman Allen [1] is so sensible of that matter, and we hope that fault done by [the] Deputy-Treasurers in Ireland, or their agents in London, will be amended for the future, though we have good cause to suspect that that practice hath been too much used by some of their deputies or agents. But the truth is that the Deputy-Treasurer here, being gone to England, where he is still, and Mr Houghton, his deputy left in his absence, being since dead of the plague, we could not tell how to answer the payments to be made to the soldiery, but by making use of that honest man Mr Alderman Hutchinson, and to take up monies on his credit here, who freely offered his service therein; and he doth confess that of some he hath taken 40s. per cent. and of some nothing, and he saith he is at charge in keeping a factor at London to look after the Bills and to satisfy those from whom he doth take it; and further he saith that he hath often taken up monies for the public service in this kind formerly, and hath been forced to give money here to have return made in London, and he will freely account what money he hath paid, and what he hath received by way of profit or loss for returns at London, and in the whole he is a great loser, but yet submits himself to have any allowance or no allowance as shall be judged reasonable and fitting. We have sent your Excellency an abstract of our last letter to the Council and former despatches about monies, and an abstract of the charge and revenue here, and we do humbly offer it to your Lordship's consideration, if it be not necessary that your Excellency also do signify to them what is fitting to be done, and if your Lordship shall please to send any despatch we shall see it sent hence by the first opportunity. . . ." 25 Nov. *Ib.* ff. 224-7. *Enclosed.*

95 (i). Order for assessment upon counties and places in the Precinct of Dublin as above, No. 83.

95 (ii). Total charge of forces in the Precinct of Dublin £8369. 11. 0. Towards which the monthly assessment solvent amounts to £4500; the profits of customs, excise and sequestration rents, including tithes and other casual profits within said precinct, estimated to amount to £1200 *per mensem.* So that there will want to balance *per mensem* £2669. 11. 0. The salaries of the Commissioners of Parliament and their officers are not included in this account, nor those of the judges and Commissioners-General of the Revenue. *Ib.* ff. 227-31.

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[1] Apparently Alderman Francis Allen, M.P. for Cockermouth, one of the Treasurers-at-War. What the fault laid to the charge of the Deputy-Treasurers was, does not appear; but in January 1652 Wollaston, Allen, Andrews and Dethick were superseded by Wm. Leman and John Blackwell, jun., as Treasurers. For a curious scene between Cromwell and Allen at the dissolution of the Long Parliament, in connection with the treasurership, see Ludlow, *Memoirs*, i, p. 354. Allen died 6 Sept. 1658.

96. SAME TO THE COMMISSIONERS AT ATHY.[1]

"We desire you to take notice that Athlone is designed by the Lord Deputy to be the headquarters this winter, and therefore, for supply thereof, it is necessary that Eastmeath, Longford and the King's County be wholly assigned for sending in provisions thither, and consequently the garrisons in Eastmeath must be supplied out of Westmeath, and for the supply of Tecroghan the barony of Carberry[2] is to be appropriated. . . ." 25 Nov. *Ib.* f. 232.

97. SAME TO LIEUTENANT-GENERAL LUDLOW.

"Having this opportunity, by this messenger, we could not let him pass without a line unto you, though at present we have no news or anything worthy your notice since our last letter unto you. The cross winds and tempestuous weather of late we do believe doth keep your lady from coming over to this place; but we do hear that Captain Sherwine, commander of a very good frigate, lies at Beaumaris, who is and will be ready to convey over your lady by the first opportunity. . . ." 25 Nov. *Ib.* f. 234.

98. SAME TO THE COUNCIL OF STATE.

"We have troubled your Lordships with many despatches expressing the condition of your affairs here, and because the last, of the 19th of November, might miscarry (the packet boat having set out hence in a very stormy night) we have here sent enclosed a duplicate of the same. Since which time there is no alteration in affairs here, save that our necessities grow more and more upon us, which we humbly desire may be taken into your serious consideration, and that a speedy signification of your Lordships' pleasure, in those particulars represented to your Lordships in the said papers, may be sent us. Col. Abbot who came from Limerick, and was there on Friday, 21st November last, informed us that the Lord Deputy was then very ill of a fever, and that the disease was not come to the height. We hope the Lord will spare his life to carry on the work committed to his trust, God having qualified and much enabled him for so great a trust. Since the surrender of Limerick, Clare Castle in Thomond, [and] Carrick Colta,[1] a strong castle of Sir Dan O'Brien,[2] upon the furthest point in Thomond, on the mouth of the Shannon, were rendered to Lt.-General Ludlow. A copy of the Articles we have here enclosed. The castle of the Neale[3] in the county of Mayo (being reported to be a place of good strength and of great use to straiten the enemy in Eri-Connaught[4] and stop relief to Galway) is delivered to Sir Charles Coote.

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[1] Henry Pretty, John Bennett, Ed. Davis, Jas. Paisley and John Hewetson.

[2] Carbury, co. Kildare.

"Having neither money in the treasury, nor corn in the stores here to furnish the soldiers with bread, we have taken up of one William Burleton £300, which we intend to employ to buy corn for the present use of the forces, without which they cannot subsist, and have ordered Mr Daniel Hutchinson to charge the same upon the Treasurers-at-War. We humbly desire your Lordships to order the same to be paid accordingly. If we could have procured a more considerable sum we had not troubled your Lordships to order so small a parcel.

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[1] Carrigaholt (Carraic-an-Chobhlaigh—*i.e.* the rock of the fleet) surrendered on 7 Nov. "Liberty was given by the Articles to such as desired it, to go and join the Lord Muskerry's party in the county of Kerry; the rest to return home, with promise of protection as long as they behaved themselves peaceably, excepting only such who should appear to have been guilty of murder in the first year of the war, or afterwards" (Ludlow, *Memoirs*, i, 291). From Clare to Carrigaholt is about thirty-three miles. Beyond Kilrush the road passes an arm of the Shannon, fairly dry at low water. The tide appears to have been in when Ludlow passed, as he speaks of the soldiers having to wade through the water on a bitterly cold day up to their waists.

[2] Sir Daniel O'Brien of Moyarta and Carrigaholt was the third son of Con, third Earl of Thomond. He threw in his lot with the Confederates and in Nov. 1641 took an active part in the siege of Ballyally Castle; but an attempt made by him to capture Bunratty, a castle of his nephew, Barnaby, sixth Earl of Thomond, failed. He submitted to the Parliament on the Articles made with Lord Muskerry in June 1652 and was one of the hostages for their performance. He afterwards joined Charles II abroad and shared his privations. He was rewarded for his loyalty by being created Viscount Clare in 1663, but died in the same year at a very advanced age. See Life in *Dict. Natl. Biog.*

[3] The castle of the Neale (Caislean-na-h Elle) in co. Mayo, a little to the south of Ballinrobe, commanding the strip of land between Lough Mask and Lough Corrib, came into the possession of John Browne, the ancestor of Lord Kilmaine, about 1580.

[4] *I.e.* Iar or West Connacht.

"Of the twenty-two men excepted from the benefit of the Articles for the surrender of Limerick seven were executed, viz. Major-General Purcell,[1] the Bishop of Emly,[2] Mr Strich,[3] the late Mayor of Limerick, Sir Geoffrey Galway,[4] Geoffrey Baron,[5] a lawyer, Dr Higgins,[6] and Dominick Fanning,[7] an alderman. Hugh O'Neill,[8] the Governor, is pardoned for life;

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[1] Patrick Purcell of Croagh, near Adare, co. Limerick, is said (Morison, *Threnodia*, p. 68) to have served in the Imperial army against Sweden and France. If so he probably returned to Ireland with Preston in 1642, and joining the Confederates he was given a company of foot in Col. Browne's regiment (*Cal. State Papers*, Irel., 1633-1647, p. 573). After the peace of 1648 he was raised to the rank of colonel, and took part as major-general at the battle of Rathmines on 2 Aug. 1649 (Carte, *Life of Ormond*, ii, p. 80). In consequence of his misconduct or misfortune on that occasion he was removed from his command by Ormond, for which the latter was censured by the Synod at Jamestown on 12 Aug. (Moran, *Spicil. Ossor.*, iii, p. 80). Purcell, who hitherto had been regarded as an Ormondist (*ib.* ii, p. 82-84) thereupon went over to the clerical party. On the surrender of Limerick he was found with the Bishop of Emly in the pest house (Ludlow, *Memoirs*, i, p. 287). He married Mary, youngest daughter of Thomas Fitzmaurice, Earl of Kerry. Lodge, *Peerage*, ii, p. 198.

[2] Terence Albert O'Brien, O.S.D., consecrated Bishop of Emly by Rinuccini in 1647, was a strong anti-Ormondist and signed the Clonmacnoise Declaration on 13 Dec. 1649. He met his fate with fortitude. Moran, *Spicil. Ossor.*, i, p. 331.

[3] Thomas Strich, a resolute nuncioist, was the leader of the party that refused to admit Ormond into the city in 1650. Strich and Strich's Castle are well-known names in Limerick. "Little James Strich wrote me of late from St Malos: he tells me his mother, great-mother, brethren and sisters, and uncles remaineth in a little island upon the river of Limerick called Ashnish. His uncle Patrick Strich died four days after his arrival at St Malos. . . . I would wish you had one of Thomas Strich's children to be presented to some Cardinal." Letter of Edward Berry, July 1653, in Moran's *Spicil. Ossor.*, i, 403. See also Bagwell, *Irel. under the Stuarts*, ii, p. 271.

[4] Sir Geoffrey Galway was M.P. for Limerick city in 1634.

[5] Geoffrey Baron, brother of Bonaventure Baron and nephew of Luke Wadding, was a member of the Supreme Council and Treasurer of the Confederation. For some time he had been agent of the Confederates at the Court of France. When charged by Ireton with rebellion he declared that he had merely taken up arms as Ireton had done for the liberty and religion of his country. Ludlow, *Memoirs*, i, p. 288, and *cf.* Gilbert, *Contemp. Hist.*, iii, p. 20.

[6] Higgins, a physician, was powder-maker and money coiner to the besieged. *Cf.* Bagwell, *Ireland under the Stuarts*, ii, p. 274.

[7] According to Borlase, *Hist. of the Rebellion*, p. 300, Alderman Fanning had been created Mayor of Limerick in 1646 by Rinuccini's influence, owing to his refusal to proclaim the Peace. He managed to evade detection when Limerick surrendered; but returning to the town "to fetch some money he had privately hid," and "going to his own house, his wife refused to receive him, or to assist him in anything; whereupon he departed, and after he had walked up and down the streets some time (the weather being extreme cold) he went to the mainguard, where was a good fire, and being asked . . . who he was, voluntarily confessed that he was Dominick Fanning, for whom such strict search had been made; he was thereupon apprehended and the next morning . . . hanged."

[8] Hugh O'Neill, nephew of Owen Roe O'Neill, was born in the Spanish Nether-

and some others, about eight of them are not taken." 1 Dec. *Ib.* ff. 238-9. *Enclosed.*

98 (i). ARTICLES BETWEEN LT.-GEN. EDMUND LUDLOW AND CAPT. WILLIAM BUTLER IN THE BEHALF OF LT.-COL. MCEGAN FOR THE SURRENDER OF CLARE CASTLE.

"1. That the Castle and all places of strength within the same, with all the arms, ammunition, stores and other utensils of war (except hereafter excepted) shall be delivered up to such as shall be appointed to receive the same, without embezzlement or spoil by 8 of the clock to-morrow morning, being the 5th of Nov.

"2. In consideration whereof all the officers and soldiers shall have free liberty to march away with their arms, bag and baggage, drums beating, colours flying, muskets laden, matches lighted and bullets in bouche.

"3. That all persons of what degree and quality soever shall have liberty to march away with bag and baggage, chattel of all sorts.

"4. That all persons (except Roman priests, Jesuits, and friars) who desire to live in protection shall have liberty so to do, they submitting themselves to all Acts and Ordinances of Parliament.

"5. That convoys and passes shall be allowed to such of them as desire the same.

"6. That Col. Stephen White shall have the benefit of these Articles, in case he accept of it within twelve days.

"7. That each musketeer shall carry with him half-a-pound of powder with match and bullet proportionable.

lands. Coming to Ireland with his uncle in 1642 he was taken prisoner in a skirmish between the Irish and the Lagan forces under Sir Wm. Stewart. He was exchanged after the battle of Benburb in 1646 and created Major-General of the Irish forces in Ulster. He was sent by his uncle to the relief of Ormond after the latter's defeat at Rathmines on 2 Aug. 1649 with 2000 men, and was by him appointed Governor of Clonmel. Contrary to expectation he succeeded in keeping Cromwell at bay and inflicted heavy loss on him; but being forced to surrender he escaped with the bulk of the garrison to Waterford. He was afterwards appointed Governor of Limerick, but was greatly hampered in his defence of the place by the intrigues of the peace party. After the surrender of the town he was condemned to death by a council of war; but the sentence was rescinded (*cf.* Ludlow's *Memoirs*, i, p. 288), and being sent a prisoner to England he was by the intervention of the Spanish ambassador liberated and allowed to retire to Spain, where he died apparently in 1660. See Life in *Dict. Natl. Biog.*

"8. That none shall suffer for another man's default in the breach of the Articles.

"9. That two hostages be delivered to the Lieut.-Col. for the performance of these Articles. In testimony whereof we have hereunto set our hands the day and year within written. Edm. Ludlow, William Butler, Don. O'Connor." 4 Nov. *Ib.* f. 240.

99. SAME TO THE SAME.

"Since the writing of our last, the most sad news of the Lord Deputy's death at Limerick on the 26th November came unto us. The Lord endue us all with faith and patience to submit to his will in all things, and to have our dependence above instruments. We humbly conceive it very much imports your service that some be appointed to supply this great trust. We have, upon the present posture of your affairs, taken into consideration the necessity of appointing one to command your forces in chief, until your further order, according to the resolutions [1] enclosed, which we have despatched into the several parts of this nation. We have at present resolved to go to Kilkenny, where we believe many other of your servants of the army will be ready to meet with us, and afterwards we do believe there will be some necessity of our going into Connaught for a while." 2 Dec. *Ib.* f. 241.

100. SAME TO THE LORD LIEUTENANT O. CROMWELL.

"Since the writing of the enclosed we have received the sad news of the death of that incomparable man, the late Lord Deputy, who expired of a fever at Limerick the 26th of the last month, by which we have been put upon the enclosed resolutions, which we offer to your Lordship's consideration. We have this testimony within us that we had no other aim than the promotion of the public service, and we are sure the Lt.-General is so self-denying a gentleman, that he will with more cheerfulness lay it down than he now takes it up, when it shall seem so good to the wisdom of the Parliament or your Excellency. Upon discourse with the Lord Deputy in his lifetime, we found his opinion was that presidents of provinces were an unnecessary burthen to the state and country, and we are so much of the same judgement, that we humbly offer it may be well considered of before any more be named. We desire not to add to your Lordship's just cause of sorrow by any repetition of the loss the Commonwealth hath by the death of the Lord Deputy, or how much we are like to suffer by it, in our own particulars; but rather to beseech the Lord to support you under it for the public good of these nations and the private comfort of my Lord your etc." 2 Dec. *Ib.* f. 243. *Enclosed.*

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[1] Below, Nos. 101, 102, 103.

100 (i). THE LORD DEPUTY TO GENERAL PRESTON,[1] GOVERNOR OF GALWAY.

"Sir, I shall not now do you the courtesy as to summon you at such a distance, because your gravity once chid me for it as unadvisedly. But for the good men's sake of the city, who perhaps may not be so airy in the notion of a soldier's honour, as to understand the quibble of it, or to find that worth or weight in them, to admit in balance against the more feeling concernments of their own safety and subsistence, though men of your unhappy breeding think such glorious trifles worth the sacrificing or venturing of other men's lives and interests for (however you would your own), I have here sent to them a sober tender of conditions, which they may (perhaps) think it behoves them to consider, while there is time, and rather at distance than stay till the refusal bring mischief or danger nearer to their doors. This if you shall fairly communicate as 'tis directed, and especially if you be found compliant to the substance and effect of it (waving the frivolous impertinences of a soldier's honour or humour rather), you may partake in the benefit of such conditions as your quality renders you capable of. If you smother or suppress it you may guess whose head shall pay for the trouble or mischief that shall follow, if God enable us to reach it, as I doubt not but he will ; because he is, and we have eminently found him still to be a righteous judge, pleading the quarrel of the innocent, and a severe avenger of their blood against those that spill it or lightly regard it, as well as a merciful father and faithful master to those that seek and serve him. Sir, your servant H. Ireton. Clare Castle. 7 Nov." *Ib.* ff. 244-5.

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[1] Thomas Preston, Viscount Tara, the son of Christopher, Lord Gormanston, was born in 1585. Taking to the profession of arms he served first in the Spanish Netherlands, greatly distinguishing himself by his defence of Louvain in 1635 against a combined French and Dutch attack. He came to Ireland in 1642, and joining the Confederates, he was appointed commander-in-chief of the Leinster forces. He was defeated near New Ross by Ormond in 1643. Afterwards he obtained some unimportant successes and in 1645 he captured Duncannon fort. But he was of a jealous disposition and his quarrels with Castlehaven and Owen O'Neill were detrimental to the Confederate cause. After being defeated by Col. Michael Jones at Dangan Hill on 8 Aug. 1648, he was appointed Governor of Waterford, which after an able defence he surrendered to Ireton on honourable terms. Withdrawing to Connaught he supported Clanricarde, and in 1651 he was made Governor of Galway. After holding out till April 1652 he slipped away, as Ireton predicted, to the Continent, where he died, apparently in 1653. See Life in *Dict. Natl. Biog.*

100 (ii). GENERAL PRESTON TO GENERAL IRETON.

"Sir, It would prove no courtesy unto me your summoning me at such a distance, but rather a discourtesy, which had, in my opinion, rendered you guilty of a second error against the rules of war. You may not think strange that the people of this town should stand upon soldiers' honour and have skill to oppose an enemy, who have of themselves (without the assistance of others) long since stood out against the threats and attempts of the Lord Forbes,[1] who was general of a fleet when he besieged them, and forced him to retire without any loss to themselves. If my profession be unhappy (as you term it) I cannot but admire you should follow the same, which, if hitherto [it] hath proved to your content, may hereafter prove unhappy to you according to your own judgment of it; and if men of that profession shall be backward in venturing men's lives in a just cause (such as I own being for my Religion, King and Country) they shall hardly attain to the effecting of any great enterprise; but such as hazard men's lives without a just cause will one day answer for their blood before God, the just judge, in which (when you reflect on your own actions) you will find yourself as guilty as others. Your letter to the mayor, aldermen and burgesses of this town I delivered them, knowing their honest and gallant resolution to be such as they may not be drawn or tempted to any the least distrust or jealousy of the soldiery amongst them, which you endeavour by your letter to fill their imaginations withal, for your own ends and their utter ruin; and had I suppressed or smothered it, I cannot guess whose head here should be subject to pay for it; for I hold that the heads of those with you are as unsettled on their shoulders as any I know in this town. Your servant, Th. Preston. Taragh. Galway. 12 Nov." *Ib.* f. 245.

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[1] Preston's statement of the facts of the case is incorrect. Galway owed its safety not to its own exertions, but to the Earl of Clanr carde, who interfered first between Captain Willoughby and afterwards between Lord Forbes and the citizens. The money for Forbes' expedition was raised under an Ordinance of the House of Commons, 14 April 1642, accepting the proposals of "divers pious and well-affected persons" to equip twelve ships with 1000 or more land forces at their own charge for the service of Ireland (Rushworth, iv, p. 776). The Adventurers stipulated for naming their officers, for hanging and shooting rebels, and for keeping whatever spoil they could take (Prendergast, *Crom. Settlement*, p. 74). Forbes was accompanied on his buccaneering expedition by the famous Puritan divine, Hugh Peters (Carte, *Life of Ormond*, i, 347) who published an account of it under the title "A True Relation of the Passages of God's Providence in a Voyage for Ireland," Lond., 1642. On the eve of his departure from Galway Forbes got possession of the ancient burial-place of St Mary's Church, outside the town, and having dug up the graves "burnt the coffins and bones of those that were buried there." For his whole proceedings see Clanricarde's *Memoirs*. Ed. 1757, pp. 203-282. No mention is made of the expedition either in Forbes' *Memoirs of the Earls of Granard* or in the article on Forbes in the *Dict. Natl. Biog.* At the time he was barely nineteen. He was a strong Presbyterian and his conduct was no doubt dictated by a desire to avenge the sufferings of his mother, Lady Forbes, who, after holding out in Castle Forbes, co. Longford, against the rebels for nearly six months, escaped with difficulty to Dublin.

100 (iii). HIS EXCELLENCY THE LORD DEPUTY'S LETTER TO THE CITIZENS OF GALWAY.

"Gentlemen, I suppose you cannot but understand that (as God hath pleased to bless and dispose of our affairs) we have no place considerable in Ireland to intend next but your city, where I believe you must needs feel some restraint already both to your trading and supplies, and cannot but foresee more coming on, that will reduce you (by God's blessing continuing with us) to extremity ere long, though [1] we should not at all deal with you in a more forcible way, and, therefore, though I can expect little fruit of a formal summons at this distance and season, if you be under the power of a mercenary soldiery, who will perhaps pretend point of honour not to yield before more extremity or immediate force at hand, but really intend their own interests, so far as to keep themselves in a warm quarter and good pay, whilst they can, though thereby (besides first milking of you dry) they bring you into as bad a condition at last, as those in Limerick and other places have done the poor people that maintained them, and then getting as good conditions as they can for themselves to be gone, leave you with your more weighty interests behind to stand at the stake; yet, not knowing but your wisdom may have kept you so far masters of yourselves and your city, as to be able to rid yourselves of such guests, when you see cause, I thought fit hereby to offer you, as once I did to Limerick last year, whilst they were their own masters, that, if you will yet open your gates and submit to the State of England, you shall find more mercy and favour to all, save the original authors of the Rebellion, the first engagers in command, or council therein before the first General Assembly, or such as sat therein, than you shall ever have from me by bargaining for yourselves; or if you think it better for you to capitulate for conditions, I shall (if you accept them without further trouble to us), give you the same in effect which I tendered to Limerick[1] at my first sitting down before it this year, in case they would have surrendered then, so as to have set us free for other work the remainder of the summer, which if, upon the sad example of what they by the refusal then have lost, and what they came to at last, after all the distresses and impoverishments and miseries of the siege, you incline to lay hold on while you may, and so prevent the like miseries, you shall soon understand them from me.

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[1] *I.e.* even if.

"Now indeed, though you should not be overmastered by an hungry sharking soldiery, yet the multitude of priests, those incendiaries of blood and mischief amongst men, and of other desperate persons, engaged upon their principles in the beginning of this Rebellion and in the murders and outrages therein committed, which I understand you have amongst you, makes me apt to doubt that, by reception and protecting of them and adherence thus far unto them, (if not by any bloody and treacherous actings of your own) you may, in the righteous judgement of God be so far involved with them in the same guilt, as to be doomed to partake with them in the same plague, and given up to be either overawed or deluded thereunto by the same persons with whom, and for whose sake, you have so made yourselves partakers in the guilt, or (at least) I am sure such as those amongst you (so far as they can prevail to overpower you or deceive you) will endeavour to engage you deep, as render you as desperate as themselves, and make your wealth and strength serve to maintain or perfect them and their broken wicked interest, as long as ever they can; yet, whatever issue it have, I shall have the satisfaction in myself of having discharged such a duty towards the saving and real good of men (if capable of it) and in having by this a good trial how God suffers you to be inclined for mercy or judgement to yourselves, and see the more light, what dealing he calls for towards you from our hands. If you shall be blinded or hardened to the refusal of this mercy, whilst you may have it, and to put the State of England and us their servants to the charge, hardship, and labour of drawing before you to besiege you, when there is no town but yours to protract the end of the war, you may well expect (since we having nothing else considerable to do) that we shall endeavour to the utmost to make you pay dearly for it in the issue, and more than others before you, by how much you alone do (with less reason or hopes and more malignant obstinacy) lengthen out our charge and trouble, and make yourselves the single and more singular mark of justice. But if there be (as I am not without hope there may be) a generation amongst you more peaceable, or providently inclined, and not so violent or mad as the rest, who would willingly embrace mercy while they may, but are overpowered by a faction of other desperate ones, I shall be glad for those that are so minded, if God gives them hearts to do that right to themselves, as to use some means whereby we may know them, and who the rest are that oppose it (or the principals of them) that so we may have some ground of discrimination (when God shall give it into our power) to use that tenderness towards them, and severity towards others which God in such case would call for and we should desire." 7 Nov. *Ib.* ff. 246-9.

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[1] See below, No. 109 (i).

100 (iv). FOR THE LORD GENERAL, HENRY IRETON THESE. THE ANSWER OF THE MAYOR, ALDERMEN ETC., OF THE CITY OF GALWAY.

"We received yours dated at the Castle of Clare the 7th of this instant, wherein you seem (under the cloud of a friendly advice) to set distrust and jealousies betwixt us and the soldiery amongst us, which perhaps the like hath wrought your desired effects of division and distraction in Limerick and other places to their own ruin; yet have we that confidence in the Omnipotent

God, who is the author and fountain of union and charity, that nothing shall be able to rend or break the settled conjunction which is between us in the town, so that, howsoever God shall be pleased to direct our intentions, it will appear, by the effect, to be the general act of all without exception. You were pleased to speak in your letter of conditions offered to Limerick the last year, and likewise of others offered by you to them when first you sat before that city this year, of both which we, being ignorant, cannot give that full resolution upon those offers by you made. We do expect from you that full scope of both those conditions mentioned in your letter, and that without exception of any person or persons in, or of this town, whereupon we will return unto you such answer and resolution as God shall direct us, and which shall become good Christians and men of our condition and quality, and so we remain, your servants, Richard Kilwarty, Mayor, Oliver French, Stephen French, Tho. Linch, James Linch, John Stephens, Dom. Browne, John Blake.[1] Galway. 12 Nov." *Ib.* ff. 249-50.

"*Note.*—Sent likewise enclosed to his Excellency the Lord Lieutenant, the Articles betwixt Lorraine and the Irish Commissioners." [2]

101. Ordered by the Commissioners that, notwithstanding the death of the Lord Deputy Ireton, all commissions from him be in force until further notice, provided they were in force on or before 25 Nov. last. 2 Dec. Orders A/82. 42. f. 79.

102. Ordered that Lt.-General Edmund Ludlow be Commander-in-Chief of all the forces of the Parliament in Ireland until the pleasure of the Parliament be known. 2 Dec. *Ib.* f. 80.

103. Ordered that the above two Orders be sent to Sir H. Waller, Sir C. Coote, Commissary-General Reynolds, Lord Broghill, Cols. Sankey, Phaire,[3] Lawrence, Axtell, Cooke, Pretty, and Venables. 2 Dec. Domestic Corresp. A/89. 49. f. 251.

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[1] Recorder.

[2] The Articles, signed 2 July 1651, are printed in Clanricarde's *Memoirs*, App., pp. 34-36.

[3] Robert Phaire, regicide, governor at this time of co. Cork. See Life in *Dict. Natl. Biog.*, and below, p. 506.

104. COMMISSIONERS OF PARLIAMENT TO SIR HARDRESS WALLER.

"Upon consideration of the present condition of Limerick we are of opinion, and conceive it advisable that such of the forces, as you shall judge necessary and fitting, be fixed in the castle or some other citadels, forts and gates in Limerick so that the rest may be in a readiness for other services. We intend (if the Lord please) to be at Kilkenny within fourteen days, where we shall be glad to see you, and to receive your advice and assistance in the settling of the affairs of the army and those parts, if you can be conveniently spared from that charge. In the meantime, we conceive it necessary to desire you to take upon you the trouble of settling the forces in their quarters, and to assign them forage, so as may be with most equality to them and ease to the country, until some further course be had therein; and likewise to issue your warrants for payment of fourteen days' pay to such forces, as have usually received pay, or were appointed to be paid by his Excellency out of the English treasury, according to such rules and instructions as his Lordship prescribed for the pay of the said forces, and to give assignations, to such of the forces in your quarters, out of the Revenue of those parts, as are yet undisposed of, or not assigned to any particular forces.

"When we come to Kilkenny we desire that Mr Standish may be there, that from him we may understand the state of that treasury, and what rules and method his Lordship did prescribe for the issuing out of that treasure, which rules, we presume, were made with so much judgment and deliberation as will not admit much alteration to advantage. We desire you to take care that considerable quantities of corn be brought into Limerick and other garrisons in those parts, and in other secure castles and garrisons in Connaught, and the same to be paid for out of the English treasury, for which we will give order to Mr Standish, when he shall come to us. We desire you in the meantime, either by the Commissioners of the Revenue, or such others as you shall judge fitting to be employed therein, to issue out orders for the bringing in such corn, and to appoint such reasonable rates for the same, as the same can be afforded at in those parts; and [that] such monies as my Lord Deputy had appointed to be disposed for that service, and not effectively issued out, be reserved for that use and not otherwise disposed of, until further order from us, whereof we desire you to give notice to Mr Standish, and, in his absence, to his deputies, and to all other treasurers in those parts." 2 Dec. *Ib.* ff. 252-3.

105. Same to Colonel Axtell.

"We intend (God willing) to be at Kilkenny after a short time, for the better settlement of the affairs of the army; and being informed that the plague hath been in most places there, we apprehend it not safe to lodge in dispersed houses as formerly; wherefore we desire that some chambers may be forthwith provided, either in the Castle, or in the house where we sat at our being there last time (which may be most convenient for you); if the bedding, for ourselves and servants, be such as hath not been used by infected persons (in which case we shall rely upon your especial care) it matters not how mean other accoutrements are. We desire also that some firing and beer may be laid in for our use. There will come with us Sir Robert King, two ministers, a doctor of physic and two or three other gentlemen." 2 Dec. *Ib.* f. 254.

106. Same to Commissary-General Reynolds.

". . . We shall now only desire you to take care for the carrying on and perfecting of the works, forts and reparations about Athlone, that being as we judge a fit place for a good party to be in readiness, as any opportunity shall be offered, and to cause the Lord Deputy's instructions given therein to be observed. And, as to the charge, when we shall hear from you what was intended and ordered, by my Lord Deputy to that end, we shall do our endeavour to see the same performed. . . ." 3 Dec. *Ib.* f. 255.

107. Same to the Commissioners of Connaught.

"We send you herewith three books of customs and some additional instructions, as rules for the officers of the customs within your precinct to act by, to whom we pray you to submit the same. We have also sent you some books of excise, according to which the respective officers within your precinct are to act. We desire that some of them may be sent to the officers of the customs, that they may know how to collect the excise of goods imported. You shall also receive some Acts of Parliament for encouragement of navigation, which we desire may be published and dispersed. We desire you to proceed in the management of the affairs of those parts, according to such instructions as you have received from the late Lord Deputy, and inform yourselves of what monthly tax may be imposed upon the several counties within your precinct, towards the support of the army, so as the inhabitants may be charged according to the proportion of their estates, as is at present necessitated to be done in other parts of this nation, and yet of [*i.e.* by] the insupportableness of the burden the people may not be enforced to quit their stations. An account whereof, as also of your progress in settlement of other matters concerning the Public Revenue within your inspection, and of your opinions what is fit further to be done for promoting public advantage, we desire we may receive from you, or by one of your number, if one may be spared, at Kilkenny, where we intend to be about a fortnight hence." 3 Dec. ff. 257-8.

108. SAME TO THE COMMISSIONERS AT LIMERICK.

The same letter with the same enclosures. 3 Dec.

109. SAME TO SIR CHARLES COOTE.

" We have seen some parts of a letter written by your Lordship to Sir Robert King, in which you mention much satisfaction you received by a promise of the late Lord Deputy's, that the forces under your command should be put in equal condition with the rest of the army in matter of their pay. We have therefore thought fit to let you know that we conceive it agreeable to equity, and the mind of the Parliament that all their forces in this land should be equally paid, and you may be assured that we shall endeavour to see that executed at our meeting, which we hope shall be shortly in Connaught; but, if anything should divert that our intention, we shall desire to see your Lordship at Kilkenny, where we intend (if God please) to be shortly, and shall give your Lordship timely notice of our being there, in case we shall not come into Connaught. In the meantime, we rest confident that your Lordship will carefully employ your forces in that province, as may be most advantageous for the public service.

"We have, upon debate, thought it convenient to advise your Lordship to proceed in the treaty with Galway, according to the Articles proposed by the late Lord Deputy to them, being the same formerly offered to the City of Limerick; and if they shall make such exceptions to the proposals, as the Commissioners of Limerick did, you may make to them the like explanations as his Lordship made, to as many of their exceptions as you conceive to be of public advantage to grant; and for your clearer understanding of our intention in this particular, we have sent you enclosed a copy of our resolutions [wanting] upon that debate, together with copies of the said Articles and of the exceptions thereunto, and the concessions and explanations thereupon. The Articles you may (if you find it necessary) communicate to the Governor and inhabitants of the town; but the exceptions and answers to them you are to keep to yourself to make use of as you shall find occasion." 3 Dec. *Ib.* ff. 260-1. *Enclosed.*

109 (i). THE CONDITIONS, BY THE COMMISSIONERS ON THE PART OF HIS EXCELLENCY, THE LORD DEPUTY-GENERAL OF IRELAND, OFFERED TO THE COMMISSIONERS OF LIMERICK, JUNE 1651.

"1. An article for the surrender etc.

"2. That in consideration of the surrender etc., all persons whatsoever shall have quarter for their lives, and liberty of their persons without pillage, plunder or military violence to their persons or goods, during their continuance under safe conduct or protection, by virtue of the ensuing Articles respectively.

"3. That all officers and soldiers of the forces in pay, and not belonging to the militia of the City of Limerick shall have liberty to march away to any garrison or quarter of the Irish party, with their horses and arms and other equipage (suitable to the several qualities they serve in respectively) bag and baggage, drums beating, colours flying, their firearms laden and primed, bandoliers and flasks full of powder, matches lighted at both ends, and to have such carriage for their goods, as the country will afford, provided for them, they paying reasonable rates for the same; and shall be allowed — months' time for the removal of any goods to them belonging, which they leave behind them, except arms, ammunition or other furniture of war.

"4. That all other persons of what quality soever, now in the said City, that desire to march with them, shall have liberty so to do, with the same freedom and privilege, time and benefit for the carrying away of their bag and baggage and removing of their goods (excepting ammunition, and all arms or other furniture of war—save travelling arms, with which they shall be allowed to march) as is granted to the soldiers in the last preceding article.

"5. That any of the officers, soldiers or others now in the City (except clergymen and such as were in arms or otherwise in hostility with or for those that committed the murders and outrages in the first insurrection before the first General Assembly) if, within days, they desire to lay down arms and submit to the Parliament of England, shall be admitted so to do, and to live at their homes or with their friends, and shall have protection to their persons and estates, on the same terms as the rest of the inhabitants of the country, of the same condition or qualification with themselves.

"6. That all the citizens or inhabitants in the said City, that are freemen or members of the Corporation and were so before the 1 October 1650, and all the widows and children of them that were such, with their families and servants, who shall be willing to live under the government of the Commonwealth of England, and submit to contribution proportionable with their neighbours (except such as come within the exception made in the last precedent article), shall freely enjoy all their personal estates, wherever the same be (except arms, ammunition and other furniture of war) to themselves and their assigns, paying to the State of England the third part of the value of their personal estates visible within this dominion, from such only as have personal estates to the value of £100 and upwards; but the rest to enjoy the whole freely, and shall likewise enjoy two-third parts of their estates real, without the City of Limerick and liberties thereof, or the full value thereof to themselves, their heirs, or assigns, and shall also enjoy their respective interests in the houses of the city, except such of them as shall be thought fit to be removed out of the garrison, in order to the security thereof, who shall have liberty to set out or sell their said houses to the best advantage of themselves, their heirs, or assigns, paying (in case of sale) a third part of the price they make to the use of the State of England ; and shall have — months' time (after warning given them to depart) for removal and disposal of themselves, their families and goods, as they shall please, and protection to live in any part of this dominion within the power of the Parliament of England, not being a garrison nor country planted entirely with English, or set apart to be so, or shall have passes to remove to any foreign parts, if they so desire ; and those of the said citizens (not within the aforesaid exception) who shall submit upon these terms, and perform the same upon their parts, shall have indemnity for anything done in the prosecution of the war." *Ib.* ff. 262-4.

109 (ii). EXCEPTIONS GIVEN IN BY THE COMMISSIONERS OF LIMERICK TO THE SAID CONDITIONS OFFERED, WHEREIN THEY WERE CONCEIVED SHORT.

"1. Soldiers, civil men and all other persons of what quality soever in the City, laying down arms and submitting to protection denied it if in arms or hostility before the first Assembly or members of it, and denied licence to pass over the seas.

"2. Soldiers not allowed ordinary shipping, ammunition and all other war furniture.

"3. Soldiers denied to levy arrears, and no expressed quarter granted to runaways, or heretofore protected, nor a certain time allowed for the residence of such of them and others, as shall determine to pass beyond the seas, in the Parliament's quarters for a convenient time, nor indemnity for them against private suits during such time.

"4. Persons admitted to protection not granted any positive permanent condition for the enjoyment of their lives and interests, nor any indemnity for mean acts since the wars, nor any allowance made for their horses and travelling arms, saving the townsmen, and no express security for such as have been in quarter or protection heretofore, nor any Article dispensing with uses of money falling due since 21 October 1641.

"5. No condition for freedom of religion.

"6. A third part of the personal interest of the townsmen reserved to the State of England.

"7. A third part of the cathedral freeholds, and inheritance likewise reserved to the State of England.

"8. A third part of the value of the estates, which the inhabitants of Limerick or any of them shall be commanded by the State to set or dispose of, also reserved for the State of England.

"9. No positive allowance given them, or any of them at their own pleasure, without any command of the State, to set or otherwise dispose of their estates throughout the kingdom, and freely to pass the seas with their wives, children, families and goods.

"10. No Article for the continuance of the incorporation and its incorporate inheritance.

"11. No Article or positive allowance for the merchants and traders of the City to deal at home and abroad in the latitude and freedom any Englishman doth.

"12. Natives of the City enjoined to sale of their estates in the City at the pleasure of the State.

"13. No saving to them of their real estates in other cities and corporations in this kingdom." *Ib.* ff. 264-6.

109 (iii). THE ANSWERS RETURNED TO THE ABOVE EXCEPTIONS BY HIS EXCELLENCY'S COMMISSIONERS.

"1. To the first exception, we shall allow a proviso for the citizens as followeth, viz. Provided and it is hereby declared, concerning all and every the citizens of Limerick, that they or any of them, being engaged in arms in the besieging and reducing the Castle of Limerick after the coming of the Irish forces under General Barry[1] into the town (though it was before the first

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[1] Garret Barry, of the noble family of Barrymore, held a commission as lieut.-col. in the army of 8000 men raised by Strafford in 1639 for service in England, and when, on the insistence of the Long Parliament that army was disbanded, he was appointed to convey 1000 men abroad. On 26 Nov. 1641 the Lords Justices reported that he had assembled 1000 men near Kinsale, on pretence of taking them to Spain, and had refused to disperse them as ordered. Shortly afterwards the rebellion spread to Munster, and Barry having been elected to command the insurgent forces of that province, he appeared before Limerick in April 1642. He was admitted by the Irish into the city; but the loyalists retired, under the command of Captain William Courtenay, into the castle. After holding out from 18 May to 25 June, and losing 223 men, chiefly by sickness and hunger, including the Bishop of Limerick, Dr George Webb,

General Assembly) shall not conclude to be understood to conclude them, or any of them, within the exception aforegoing, except such of them as shall appear, by sufficient evidence, to have contrived, procured, endeavoured, or wittingly furthered the letting in the Irish forces into the town, or to have been otherwise guilty (as parties or immediate accessaries) to some particular murders of the English or Protestant people before the first General Assembly. Also to the soldiery, nobility and gentry now in the City, we are content that they be admitted to live in protection, they submitting themselves and their estates to the judgment of the Parliament of England, although they were in arms during the first year of the war.

"2. To the second, we cannot allow any ordnance or other furniture of war, but what is granted by our Articles, only we are content that all ships belonging to any private persons remain to the disposal of the owners.

"3. To the third, we shall not grant any power to levy any arrears in our quarters; but as to runaways and heretofore protected persons, although they be not mentioned expressly, yet it is intended that quarter should extend to them. We are willing to prefix a time and grant indemnity from suits during that time as is mentioned in the exception.

"4. To the fourth, we shall willingly allow the protected persons horse and travelling arms as we do to other protected people. As to people formerly protected and not within the reach of the exception, paying the arrears of their contribution due to the Parliament party, they shall be received into protection as formerly. For the rest we do adhere to our Articles.

"5. To the fifth, we shall not treat concerning religion.

"6. To the sixth, we shall adhere to our Articles, unless they be willing to waive their indemnity to private suits.

"7. To the seventh, we must adhere to our proposals.

"8. To the eighth, we must adhere to our proposals.

"9. To the ninth, it is intended that all such of the citizens, as are by these Articles allowed to enjoy their estates real and personal, should have full liberty to sell and dispose of their said

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Courtenay surrendered on favourable terms. There is an interesting Diary of the Siege in MSS., Trinity College, Dublin, F. 4, 16. According to Carte the Irish laid a boom across the river, of which the Diary makes no mention, but which explains the failure of the ships in getting close enough to the castle to relieve it.

estates to their best advantage, and liberty, with their wives and families and goods; to pass beyond the seas when they shall think good.

"10. To the tenth, we shall not treat of it.

"11. To the eleventh, it is intended that all such of the citizens within the exception shall have full liberty to trade at home and abroad as other English subjects.

"12. To the twelfth, the proviso of our proposition enjoined no sale of any part of their estates in the City.

"13. To the thirteenth, it is intended they should enjoy all their real estates in any corporation or place of this dominion except garrisons." *Ib.* ff. 266-8.

110. Ordered by the Commissioners that, Thursday, 11th inst. December, and Thursday following, the 18th of the same month, be kept as days of humiliation, on account of the raging of the plague, especially in Limerick, and of the great storms at sea which prevent the arrival of provisions. 6 Dec. Orders A/82. 42. f. 84.

111. Ordered by the Same that leases for not more than three years be granted of empty houses in Dublin. 6 Dec. *Ib.* f. 85.

112. Ordered by the Same that lands to the value of £220 per annum be settled on Colonel Venables, as they were worth in 1640, in full satisfaction of all his arrears due to him for service in England. 10 Dec. *Ib.* f. 86.

113. Ordered by the Same that Sir Charles Coote be put in possession of the manors, castles, towns, and lands of Gormanstown and Tullock, according to a late survey by Mr Richard Francis, in pursuance of an Order of Parliament for the settlement on him of £500 a year. 16 Dec. *Ib.* f. 89.

114. THE COMMISSIONERS TO MR SCOT.[1]

"We have received information by your last letter that there appears reason for moving the House in our desires concerning our own particular business, which we formerly troubled you with, hoping the House will be pleased to grant (and our necessities enforcing) we have presumed to take up of Alderman Preston [1] of Dublin £750, which is a quarter's salary to each of us and have charged it upon the Treasurers-at-War by Bills of Exchange, which we send in the enclosed letter to them. We desire your endeavours to have the said Bills accepted and the monies paid accordingly; and if the House be willing to alter their former resolves of paying our salaries in Ireland, then we desire that the Treasurers-at-War may make payment of the £750 out of the monies designed for Ireland, and we take order for the reimbursing of it to their Deputy-Treasurer here, though we fear some occasions of exception may be given to the soldiery thereby (especially as things now stand) when they shall observe so great a diminution made of the treasury whereby they are supported. If we shall hear that it is the pleasure of the House that our salaries for the future be paid at London, as we desire, then we shall be forced to charge more monies on the Treasurers there, our expenses in travelling, and keeping many horses for that purpose, being greater than we could foresee them to be, and have nothing here to defray the same or support ourselves, but what our masters do furnish us with. We desire you to pardon the giving you this trouble." 17 Dec. Domestic Corresp. A/89. 49. f. 273-4.

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[1] Thomas Scot or Scott was returned M.P. for Aylesbury in the place of Sir Ralph Verney in 1645, and was one of those who signed the warrant for Charles' execution. He was an ardent republican and opposed Cromwell's dissolution of the Long Parliament, as he did his establishment of a House of Lords. After Cromwell's death he acted as intermediary between the Rump and Monck;

115. SAME TO THE COMMISSIONERS AT BELFAST.

". . . We think fit to let you know that the Council of State and ourselves do expect that Ulster must bear its own burden; and if the forces there be more than you can pay, and that a fewer number may serve for the necessary defence of that country, and carrying on the public service, we desire to know how many you can spare that they may be disbanded or disposed of otherwise. We understand that the

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but the readmission of the excluded members put an end to his power. He fled to the Continent, but was taken at Brussels, and being brought back to England he was condemned to death and executed on 17 Oct. 1660, meeting his fate with great fortitude. (See Life in *Dict. Natl. Biog.*). In his capacity as member of the Committee of Both Houses for Irish Affairs, and subsequently on the Committee of the Council of State for Irish Affairs, he exercised considerable influence on the management of affairs in Ireland.

[1] John Preston, a Dublin merchant, a Protestant and a stout Commonwealth man.

£4500 designed for the Connaught forces out of the £8000, ordered by the Council for Ulster, the 10th of June last, is now landed with you. We do therefore require you to keep the same carefully till Sir Charles Coote shall send for it, and that it be delivered to such as he shall appoint to receive it, without further order than this our letter, and that it be not disposed of any other way." 17 Dec. *Ib.* f. 275.

116. SAME TO THE COUNCIL OF STATE.

"This day we take our journey for Kilkenny, and from thence we intend (if the Lord please) to go into Connaught, to endeavour the settlement of your affairs in those parts until the Parliament or your Lordships shall appoint how the military affairs shall be managed for the future. We humbly desire that what commands your Lordships shall send us may be conveyed by Chester post, we having taken order here for the conveying them to us as soon as they come to this town. Your Lordships well know that the wants your forces are in will probably be represented, and insisted upon more earnestly than formerly, and those that serve your Lordships here have not those advantages in the affections of the soldiers, nor that power over them to prevent or quiet irregularities, as his Excellency had, which we humbly offer to consideration, that the supplies intended may be hastened. We are satisfied that we need not insist upon this particular further than to mind your Lordships thereof.

"The present condition of your forces in those two provinces,[1] where we are now going, being not yet made known unto us, further than in a general representation of their wants, makes us incapable of propounding anything in particular to your Lordships. Upon advice with Captain Sherwine what naval force is necessary to keep this Channel from the north of Scotland to the Bay of Wexford, he hath propounded the particulars enclosed [wanting], which we humbly conceive rational and for your service, and therefore humbly offer that, and what further force will be necessary to secure the southern and western coasts, to your Lordships' consideration. The soldiers are in so much want of clothes here, that we have been forced this week to provide 400 suits and 2000 shirts, for such of them as are most necessitous, fearing that the provision of clothes your Lordships sent will not come time enough to supply the wants of many poor creatures, that are almost naked and in a starving condition." 18 Dec. *Ib.* f. 276.

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[1] *I.e.* Munster and Connaught.

117. SAME TO MR STANDISH.

"We have observed in Dublin, and by many here are informed, that the trade of this dominion is exceedingly decayed, through the straits unto which merchants have been exposed, who may not without public prejudice transport, and cannot, it seems, return their money, neither procure here any other commodity to their advantage except cattle, hides etc., the exportation of which at present (with respect to public advantage) are prohibited, so that we think it necessary for the repairing of trade (which so much conduceth to the public good) to consider of some speedy way to remove such discouragements from the merchant, and (until further consideration may be had hereof) we judge it reasonable, that their money should be received here by you, and Bills given them by you for their repayment by the Treasurers-at-War in England, which may be done the more securely in regard there is now beforehand a visible security of above £100,000 for the supply of these affairs, besides the extraordinary need we shall have of more money than is now come over, before the next supply can possibly come. You are therefore hereby desired to receive £2700 from Captain Thomas White, a merchant now in Waterford, whose discouragement (as he informs us) is as abovesaid, and any other sum or sums from English merchants in those parts (especially from such whose cases may be the same) not exceeding in all the sum of £10,000 until further orders and that to be good current money." Kilkenny, 23 Dec. *Ib.* f. 277.

118. SAME TO THE COUNCIL OF STATE.

"On Saturday night last we came well (through the mercy of the Lord) to Kilkenny, where we had an account of the *President's* safe arrival on the night before at Waterford, with the very seasonable supply of money from you, which truly was so exceeding wanted, that the forces in all parts (under the pay of the Treasury) were greatly distressed, as we fear they will yet be again, before the next supply can possibly come over: the arrears already contracted since the last money was exhausted, notwithstanding the small allowance to the poor soldiery, by which, if constant paid, they can scarce subsist in this time of scarcity, amounting to very near as much as the £40,000 now happily arrived. We esteemed it our parts therefore, to despatch these unto your Lordships, humbly to request your speedy sending away the next proportion of money appointed for these forces, that, under their and our sad sense of the great loss of your late faithful servant our General, they might not be further exposed to the distraction, that (if not so timely supplied) may attend their too intolerable exigency. And in regard provisions (especially of bread-corn) hath held at very great rates all this last summer, so that very slender stores have been laid up in any garrison, neither can be now obtained without far greater charge than it may be had from England, nor money out of this proportion with any conveniency disbursed therein, through the arrears aforesaid, and growing charge by the recruits, which we understand are daily expected (and indeed very greatly wanted), of which 400 foot are now very seasonably arrived, we likewise humbly desire your Lordships' effectual care for the speedy sending over the proportion of wheat and other provision, written for in November last by the Lord Deputy from Limerick, which will be shortly also greatly wanted, and, through the blessing of the Lord, we shall by all means perform our utmost for the best improvement of all for the advantage of your affairs." Kilkenny, 23 Dec. *Ib.* ff. 278-9.

119. THE COMMISSIONERS AND OFFICERS OF THE ARMY TO THE COUNCIL OF STATE.

"Since the death of the Lord Deputy we have made a more particular inquiry into the condition of the enemy, whose numbers now in arms within the several parts of this dominion, according to our best information, we do not judge to be less than 30,000, besides the people generally ready to join with them upon any occasion, yet many of them incline to come in and accept conditions, to which purpose several of their considerable officers have made overtures unto yours, for the most part insisting upon licence to go beyond sea for the

King of Spain's service, and therein to continue in command of such regiments or companies as they can carry over with them. We humbly desire your advice and commands herein, and, if the admitting any to come in, upon the conditions aforesaid, be conceived to be of public advantage, we humbly offer that merchants may be employed to treat with the Spanish ambassadors concerning the charge of their transportation, and securing unto them the said conditions; and if any, who offer to come in as aforesaid, shall be refused those conditions, we desire to understand under what qualifications such persons shall be excepted. We further conceive that it might much conduce to the settling the affairs of this nation, if some general tenders were made to the inhabitants. We desire the Parliament's direction with all possible expedition and remain etc. (*Signed*) Edmund Ludlow, Miles Corbett, Jno. Jones, Hardress Waller, Broghill, Jno. Reynolds, Jno. Hewson, Robt. King, Geo. Cooke, Hier. Sankey, Danl. Abbott, Danl. Axtell, Robt. Sanders,[1] Richd. Lawrence, Wm. Lee."[2] Kilkenny, 26 Dec. *Ib.* f. 280.

120. Ordered by the Commissioners that, in accordance with the Order of Parliament for the assessment of taxes in Ireland, the counties, cities and places within the Precinct of Limerick be taxed with the monthly charge of £3150, viz. Co. Clare £1350; Co. Limerick £1600; City of Limerick £200, to continue for six months beginning from 3 December last. 1 Jan. 165½. Orders A/82. 42. f. 99.

121. Ordered by the Commissioners that the assessments mentioned be put in execution in the following precincts: CORK, Co. Cork £2800, with the Baronies of Coshmore and Coshbride in Co. Waterford £144, *per mensem*, beginning from

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[1] Colonel Robert Sanders or Saunders, after serving in the Parliamentary army in England, came to Ireland apparently before Cromwell. He obtained a seven years' lease of Castlemartyr in co. Cork and certain lands in and near Youghal in May 1651. In 1657 order was given for a renewal of the lease for thirty-one years, in part compensation for his Irish arrears. His English arrears were settled by a grant of lands in co. Wexford. According to Ludlow (ii, 74) he was cashiered by Cromwell for his affection to the Parliament and on the restoration of the Long Parliament in 1659 he was rewarded by being made Governor of Kinsale; but in the negotiations that led to the restoration of Charles II he seems to have thrown in his lot with the Coote-Broghill party.

[2] Of Colonel William Lee or Leigh we only know that, as Governor of Waterford in 1659, he took an active part against Ludlow, who describes him (ii, 196) as having supported the usurpation of Cromwell and being an Anabaptist.

1 December last; CLONMEL, Co. Tipperary £2400, with the Baronies of Decies and Glenahiry and Dungarvan in Co. Waterford, £450 and certain portions in King's Co. £300 (whereof is solvent £150; the rest to be charged within the Precinct of Dublin and to bear £300) beginning from 1 December last; WATERFORD, the Barony of Middle-Third £120; Barony of Gaultiere £96. 11. 9.; City of Waterford £120; Baronies of Idea and Iberkin (Ida) £150 and Barony of Iverk £83. 10. 0 in Co. Kilkenny; KILKENNY, Co. Kilkenny £1700 (abated the abovesaid baronies) and that part of Queen's Co. that is laid to the Precinct of Kilkenny £100; said assessment to begin from 29 December last; WEXFORD, Co. Wexford, with the part of Co. Wicklow attached; but by reason of the insolvency of all the Irish baronies in that precinct there can be levied only £900 *per mensem*, beginning from 16 December. All assessments to last six months. 1 Jan. *Ib.* ff. 103-4.

122. Ordered by the Commissioners that such of the enemy's party (except priests, Jesuits and other of the Popish clergy) as shall come in and deliver up their arms, and shall engage themselves to live peaceably, and submit to the authority of the Parliament, shall have such protection to live in the Parliament's quarters, as other protected people have, and shall have the benefit of such terms, as the Parliament shall hold forth to persons in their condition for their advantage; and, if the Parliament shall hold forth any terms, which they shall not be willing to submit unto, they shall have one month's time (from the publishing of such terms in their quarters) to provide for their own security elsewhere; provided that in the meantime they act nothing to the prejudice of the Commonwealth of England; provided also that such protection, as shall be granted to the said persons, shall not extend to exempt such of them as had a hand or were actors in any of the murders, massacres, or robberies, that were committed upon the English and Protestants in Ireland, during the first year of the Rebellion, or in any other murders or massacres, since the said first year, committed upon any person not being in arms, from being questioned, according to the due course of law. 2 Jan. *Ib.* f. 105.

123. Ordered by the Commissioners that, upon consideration of Lord Broghill's proposals for receiving into protection such of the Irish soldiers as shall come in and deliver up one or more field officers of their party, to be proceeded against according to justice, and assigning unto the said soldiers places of security, the proposals be approved; provided that the places of security be none of the Parliament's garrisons, and the persons be not such as have had a hand in any of the murders or massacres. 2 Jan. *Ib.* f. 105.

124. Ordered by the Commissioners that all persons of this nation, who have submitted to the Commonwealth's forces since July 1649 and have, or shall take up arms again, be punished by death. 2 Jan. *Ib.* f. 107.

125. Ordered that the Earl of Cork[1] be allowed to enjoy his estate in Ireland *pro tem.* 2 Jan. *Ib.* f. 107.

126. THE COMMISSIONERS TO THE COUNCIL OF STATE.

"We have had a meeting here of all the General Officers and most of the Field Officers of your forces in Ireland (except the Ulster officers, and those with Sir Charles Coote in Connaught), and we bless God that we see so much of the spirit of prayer and of unanimity and faithfulness in them to promote your service. After advice with them of the state and condition of your forces and garrisons, and how your service may be prosecuted with most advantage, we have taken the exactest account we could of the number of your forces now in pay, both in field and garrisons, according to musters, (except those with Sir Charles Coote in Connaught, of whom we have made the nearest estimate we can) and find them in the whole to be upwards of 30,000 horse and foot.

"We have likewise caused the monthly charge of pay to the said forces (according to the reducement of present pay) to be calculated, and have considered of the several branches of your Revenue here, and how much may be expected out of the same towards the defraying of that great charge, and what supplies of treasure will be requisite (according to the present number of your forces) to be had from England, to make up the present pay, and carry on your affairs here; and find that the same will amount to £19,408. 17s. 9d. *per mensem* at the least, as by the enclosed estimate [wanting] will appear. All which we herewith humbly present to your Lordships with this [remark] that, as the numbers shall increase by recruits, and other additional forces from England, the supplies of money must be increased, and that the assessments will be less in the summer than in the winter, because the inhabitants have corn in winter to make money of which will be spent before summer.

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[1] The Earl of Cork claimed to fall within the conditions of the Dublin treaty.

"We have herewith likewise sent you an estimate [wanting] of such supplies of ammunition, clothes, recruits of foot and other necessaries, as by a Council of Officers is judged needful to be had from England this next spring, for the carrying on this next summer's war. And as touching the treasure last come over in specie, being (as Mr Standish the Deputy-Treasurer informs us) short of £40,000, we find that the arrears incurred to your forces and train (while this supply was expected) being paid, there will remain, as Mr Standish (who best knows what those arrears amount unto) [informs us] of this supply, scarce six weeks' pay for the said forces and train, to be computed from 29 December last; whereby it will appear to your Lordships how necessary it is to hasten over your future supplies of money, warrants being already issued out of the treasure now come, for supplying the defects of one month's pay to such of the forces as have assignations for part of their pay upon the country, and for six weeks' pay to the rest of the forces, that have no assignations to depend upon, and orders given for payment of the said arrears in course by Mr Standish out of the same, as he formerly used to do in the late Lord Deputy's time, whereof we expect shortly an account from him.

"We humbly present unto you the account above mentioned of the charge of your forces and the Revenue towards the payment of them, as your affairs here now stand, which is much different from what it was in the beginning of the last spring, in respect of the increase of charge and decay of the Revenue, you having now, by the gaining of Limerick and Connaught, above forty garrisons planted more than you had, and yet the Revenue of that country, which you have gained in Connaught doth not answer the waste which the enemy made upon your quarters in other parts, while your forces were attending the reducement of Limerick and the service of those parts, and the loss of contributions from those places which have been thought fit to be excluded from protection ; neither can it be expected that the assessments upon those counties and places now under contribution, will continue long at the rate they are now set, it being much more than the inhabited lands there are generally worth to be let at rack, and there being not one part in three inhabited ; so that as affairs now stand, your charge cannot possibly be diminished, and your Revenue will undoubtedly decrease, for want of inhabitants and stock to till and improve the wasted counties, except some speedy consideration be taken for the settlement of this country. To which end we humbly offer herewith some particulars to consideration. We humbly desire that your Lordships do so order the provision of your forces, as that the monies, to be issued for the payment of clothes, ammunition and other necessaries do not lessen that £20,000, that is to be monthly provided for the pay of your forces, and that the recruits of men, ammunition, clothes, tents, corn and other particulars (now and formerly sent for) be sent over before the end of April next, at which time we hope, through the help and blessing of God, your army may be in a readiness to take the field before the enemy can be in a condition to make any considerable resistance. We intend (if God please) after some few days spent here, to go to Portumna, and from thence further into Connaught, as we shall find it most conducing to the carrying on of your affairs, and rendering you a more exact account of your forces and service in those parts. We are well assured of your Lordships' wonted care in the effectual ordering of the forementioned and all other necessary supplies for the vigorous prosecution of this service, for the improvement whereof nothing shall be wanting (through God's assistance) that lies within the power of yours etc." Kilkenny, 7 Jan. Domestic Corresp. A/89. 49. ff. 283-6. *Enclosed.*

126 (i). SOME PARTICULARS OFFERED IN ORDER TO THE BREAKING OF THE ENEMY'S STRENGTH.

The Parliament has in Ireland above 350 garrisons, which must be continued, and the strength of the army maintained at not less than 30,000 men, for the reason that about 100 garrisons more must be planted in Wicklow, Longford, King's and Queen's Counties, Kerry, Galway, Roscommon, Sligo, Mayo, Leitrim, Tyrone, Cavan, Fermanagh, Monaghan and Armagh, as these places are reduced. The enemy in arms is conceived to be not less than 30,000 strong, and, with the exception of those in garrison in Galway, Sligo, Roscommon, Jamestown and some other small places, lies chiefly in woods, bogs and other fastnesses. These bogs possess many advantages for them. First, the country, being almost everywhere, in the counties mentioned, interlaced with vast bogs, in the midst of which are firm woody grounds like islands, into which they have passes or causeways, where no more than one horse can go abreast, and can be easily maintained, or suddenly broken up, and they themselves inured to wade through them, they can easily pass to and fro, and prosecute their designs of robbing and burning those places, which yield our forces subsistence. Secondly, these fastnesses being impassable for horse, and into which foot cannot go without some experience and hardship, such of our forces as make the attempt are subject, by cold, to get the country disease,[1] which wastes and destroys many of them; and being got into those places, their ignorance of the passes renders them incapable to pursue, and subject to surprises. Thirdly these fastnesses are of better use to them in point of strength than walled towns; because they cannot be besieged, and because they can draw all their strength out of them to act their designs, without hazarding the loss of the place. In addition they have exact and constant intelligence from the natives, of the motions of any of our forces and of opportunities to act their designs upon us; whereas our forces seldom or never have any intelligence of their motions from the natives, who are possessed with an opinion that the Parliament intends them no terms of mercy, and therefore endeavour to preserve them, as standing between them and danger.

For the speedier breaking of their strength we suggest:—

First, that such as are now under protection, who go out in arms against the Parliament, be excepted from pardon for life or estate.

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[1] "As Ireland is subject to most diseases in common with other countries, so there are some whereunto it is particularly obnoxious. . . . Of this number is a certain sort of malignant fevers, vulgarly in Ireland called Irish agues. . . . The looseness doth also reign in Ireland . . . wherefore the English inhabitants have given it the name of the country disease. . . . My brother . . . being Physician-General of the English forces . . . hath assured me that these diseases had their original not from any defect of the climate, but of the cold and other hardships, which the soldiers suffered in their marches," etc. G. Boate, *Ireland's Natural Hist.*, Lond. 1652, ch. xxiv.

Secondly, that persons now in arms (except Jesuits and other excepted persons) who shall lay them down and live peaceably, shall have the benefit of such terms as the Parliament shall hold forth to persons in their condition ; or, if they do not like the terms, but desire to serve a foreign power, they shall have liberty, after laying down arms, to transport themselves and to continue in command of the forces they hold.

It is conceived that such terms as these would move most of their leading men to lay down arms, and carry away most of their fighting men, which would add much to the security and peace of the inhabitants here.

Thirdly, the country round about the rebels' fastnesses to be laid waste, and garrisons placed in the neighbourhood.

Fourthly, terms to be held out to those who desire to live peaceably, and are not guilty of blood, in order to the security of their lives and encouragement to husbandry.[1] *Ib.* ff. 286-8.

126 (ii). PROPOSALS FOR THE MORE SPEEDY LESSENING OF THE CHARGE IN MAINTAINING THE PRESENT FORCES.

First, that the Adventurers upon lands in Ireland do cast lots where their lands shall be assigned them, according to the proposals annexed, to the end that they may begin to plant, notwithstanding the war is not yet ended, and may plant together to their mutual strength.

Secondly, that a Pale be made, by securing all the passes upon the Boyne and the Barrow, and joining these two rivers in one entire line, for the better securing the inhabitants to plant and follow husbandry within the said line, the same being once cleared of the enemy, by planting a strong garrison in the fastness of Wicklow and another in the County of Waterford between the Suir and the More.[2] The advantage of such a line being made is that the country within it will in a short time be inhabited, and yield more security to the people than now they have within a mile of the best garrison we possess, and probably yield more profit to the Commonwealth than all the lands in Ireland now do.

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[1] The above, though only an abstract of the document, fills up certain lacunæ in the fuller copy in the Portland MSS. i, pp. 622-623. *Hist. MSS. Comm.*, 13th Rept., App. I.

[2] *I.e.* Avonmore (Abhain mór), or Great Water, generally called the Blackwater.

Thirdly, that all the forces may be fixed to their respective garrisons and quarters, and have lands assigned to them as well for their arrears, as in lieu (at least of part) of their present pay, to the end they may be encouraged to follow husbandry, and to maintain their own interest, as well as that of the Commonwealth, provided only that such of them as marry Irishwomen shall lose their commands, forfeit their arrears, and be made incapable to inherit lands in Ireland. *Ib.* ff. 288-9.

126 (iii). FOR THE ASCERTAINING THE ADVENTURERS' ALLOTMENT IT IS PROPOUNDED :—

That some counties in each province be set apart and divided into four allotments, each of such allotments to contain a sufficient proportion of land to satisfy the Adventurers, to the end that lots may be cast presently by the Adventurers in which of those allotments their proportions shall be fixed, viz :—

The first allotment to consist of the counties of Limerick and Kerry in Munster, and Clare and Galway in Connaught.

The second allotment to consist of the counties of Kilkenny, Wexford, Wicklow and Carlow in Leinster.

The third allotment to consist of the counties of Westmeath and Longford in Leinster, and Cavan and Monaghan in Ulster.

The fourth allotment to consist of the counties of Fermanagh and Donegal in Ulster and Leitrim and Sligo in Connaught.[1]

And although it be conceived that there is in any one of these allotments more forfeited lands than will, upon admeasurement, satisfy the Adventurers according to the Act ; yet that it may appear that not only full satisfaction is intended them, but also an advantage of strength and security, in having their several proportions assigned unto them together, which the Act doth not provide for, it is further propounded :—

First, that if the first allotment chance to fall short upon admeasurement of giving the satisfaction intended, that then in such case the one moiety of such defect be supplied out of the forfeited lands in the county of Cork, next adjacent to the counties of Kerry and Limerick in Munster, and the other moiety of such defect to be supplied out of the forfeited lands in the county of Mayo, next adjacent to the counties of Clare and Galway.

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[1] It will be noticed that had this scheme been carried out some of the worst lands in Ireland would have been assigned the Adventurers.

Secondly, that the second allotment proving deficient upon admeasurement, be supplied out of the forfeited lands in the Queen's and King's counties in Leinster, next adjacent to the said second allotment.

Thirdly, that the defect of the third allotment be supplied out of the forfeited lands in the county of Fermanagh in Ulster, next adjacent to the said third allotment.

Fourthly, that the defect of the fourth allotment be supplied out of the forfeited lands in the county of Mayo in Connaught and of Cavan in Ulster next adjacent to the said fourth allotment.[1] *Ib.* f. 290.

127. SAME TO MR ROWE.

". . . The provision of clothes you mention are not yet come, and because they are not likely to come, time enough to be distributed before the distress of winter be over, it is ordered, by the unanimous vote of all the officers present at a Council, that they shall not be distributed before the 10th of April, that the army may be well clothed when they take the field. . . . We have given order to buy up all the corn that can be got here in the country, as well to prevent the enemy of relief, as to supply our stores, the Irish being apt to part with anything they have for money; but much less is to be had here than we expected. . . ." Kilkenny, 8 Jan. *Ib.* ff. 291-2.

128. SAME TO THE PARLIAMENT.

"Having now been in these parts three weeks, where we have met with all the General Officers and most of the Field Officers of your army, and consulted with them about the disposing of your forces in their winter quarters, as may be of most advantage to your service, and what will be necessary to be provided for this next summer's service we have given account to the Council of State. We have resolved the next week, by the help of God, to repair to Portumna in Connaught, where we do expect to meet with Sir Charles

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[1] See note, p. 120.

Coote and others your servants in those parts, of which we do hope to give account by our next. We shall only now acquaint you that, at this meeting with your officers and servants here, we have observed in them great diligence and affection, with much unanimity to obey your commands, and to carry on your service in this nation, and we could not but take notice of the good hand of God that so disposed of the winds, that have been very tempestuous and contrary many weeks together, yet, the day before our coming hither, the last treasure come from you, did safely arrive at Waterford, which hath been long expected, and for want thereof your forces might have soon been reduced to many straits. Now by this seasonable relief they are much refreshed, the same being disposed of, and equally distributed according to the course used by the Lord Deputy in his lifetime; but how little thereof doth remain and what further supplies and necessaries are requisite to be sent hither in order to your service, we have given full account to the Council of State. There is not any considerable action now of late worthy your notice; but your forces at present are in such a posture as they are ready to meet with all attempts of the enemy, and, by the blessing of God, are in a hopeful way to do good service against the enemy, whose motions they do daily attend. Your pleasure touching a Commander-in-Chief in this nation, and what qualifications the Parliament shall please to hold forth to the Irish, hath been long expected and much desired." Kilkenny, 8 Jan. *Ib.* ff. 294-5.

129. SAME TO COLONEL VENABLES.

"We thought fit to acquaint you that the Earl of Antrim, being altogether unprovided of a convenient habitation and other accommodations in these parts, answerable to the late Lord Deputy's intentions towards him, hath received our pass for Ulster, where we have ordered him £40 a month for his present maintenance, and where we desire he may reside, in some such convenient place as you shall think fit, till the pleasure of the Parliament be made known concerning him. If you apprehend any prejudice that may happen to the Commonwealth thereby, when we are returned to Dublin be pleased to signify it unto yours etc." Kilkenny, 8 Jan. *Ib.* f. 296.

130. Same to the Lord Lieutenant.

"The experience, which we have had of the judgment and integrity of the late Lord Deputy, invites us to prosecute all such designs as we find him any ways inclined unto, and finding that his Lordship was very sensible of the hard condition of the Lord Antrim, who had not only submitted to him, but so far endeavoured to serve him, as had gained him some esteem and place in his Lordship's opinion, and some tenderness and care of his future well-being, as will appear unto your Lordship by the enclosed copy of a letter [wanting] from his Lordship to the Lord of Antrim, in which you will find how desirous he was to preserve him, and to free him from being an excepted person for life and estate; and do also think fit to signify to your Lordship that in our judgment he (not having been so active as most others have against the Parliament, nor being a man of designing head,[1] or guilty of the massacres in this land) may be left out of the exception for life and estate." Kilkenny, 8 Jan. *Ib.* f. 299.

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[1] Readers who are acquainted with Antrim's career will smile at this description of him; but it is not without interest to inquire how a man from being a perfervid royalist and afterwards a confidant of the ultramontane Irish party and a competitor for the command of their army on the death of Owen Roe O'Neill, should have succeeded, not indeed in hoodwinking Ireton, but in securing the above favourable recommendation from the Commissioners. It is not easy to see through the veil of mystery which shrouds Antrim's intrigues. But it may be taken for granted that Ireton knew his man and had good reason for treating him with consideration. The following facts may help to explain the mystery. At the close of 1647, when negotiations for a reconciliation between the Crown and the Confederates were on foot, Antrim, Lord Muskerry and Geoffrey Browne were deputed by the latter to proceed to France to arrange a treaty, and if possible to persuade the Prince of Wales to come to Ireland. Antrim left Ireland on 20 Feb. 1648, seven days before his colleagues. His object, there can be hardly any doubt, was to gain the ear of the Prince, and by magnifying his own importance to procure his appointment as Lord Lieutenant in the place of Ormond. Being a Catholic his appointment would, in his opinion, have enabled him to reconcile the national and confederate parties, and, by giving consistency to their policy, have enabled them to offer a more effectual resistance to the Parliament. Failing however to oust Ormond, he returned to Ireland and threw all his influence on the side of the opponents of the treaty. But being unable to prevent its conclusion, he opened up a correspondence with Cromwell, through Abbot Crilly, with the object of effecting an agreement between the native Irish and the Parliament on the basis of a toleration of the Catholic religion. The scheme came to nothing; but Antrim was not discouraged, and having effected an understanding with Col. Michael Jones he laboured to undermine Ormond's authority, and, according to Carte, was mainly instrumental, through his agent Hugh Rochford, recorder of Wexford, in bringing about the surrender of that place to Cromwell. On the death of Owen O'Neill he exerted himself to secure his election to the command of the Ulster army. Being disappointed in this respect, however, he presented himself to Ireton at Carlow and tendered his personal submission. At the same time he gave Ireton a full account of Charles' intrigues with him and Ormond in Aug. 1641 for subverting the Government of Ireland in his own interests (*cf.* Introduction, p. cxvi). He was allowed to remove to England and, his estate in co. Antrim having been assigned in satisfaction of Adventurers' claims, he received

131. SAME TO THE COMMITTEE FOR IRISH AFFAIRS.[1]

"Upon inquiry into the management of the public affairs here, we found some persons (who lived in England during these wars and were there in arms, or otherwise acted against the Parliament) enjoying the benefit of their estates in Ireland. Whereupon we issued out orders for seizing and sequestring of the estates of such persons as had been sequestered in England [and] for delinquency against the Parliament, although they had compounded for their estates in England, and to continue the same under sequestration, until it should be made to appear that they had compounded, or been otherwise freed for their estates in Ireland. In pursuance whereof the Earl of Cork's estate being secured, he produced the Articles made with the Earl of Ormond upon the rendition of Dublin, and claimeth to be freed for his estate in Ireland by virtue thereof; and, upon the debate of that matter, we conceived ourselves under some difficulty how to proceed therein, and in other cases of that nature, without some further signification of the Parliament's sense thereupon; and therefore we have stated the said doubts in the two questions enclosed, which we humbly desire may be (by your means) offered to the consideration of the House for their resolutions therein." Kilkenny, 16 Jan. *Ib.* f. 300.

131 (i). In the Articles of Agreement made with the Earl of Ormond 18 June 1647, "it is agreed and concluded, and the said Arthur Annesly Esq., Sir Robert King and Sir Robert Meredith Kts., Colonel John Moore and Colonel Michael Jones, do, for and in behalf of the Parliament of England, conclude, agree and undertake to and with the said Lord Marquis of Ormond, in behalf of himself and other his Majesty's subjects, that all Protestants whatsoever of the kingdom of Ireland (not having

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a pension of £500 from Government, subsequently increased to £800, together with certain lands as an innocent papist, in co. Mayo. His behaviour at this time almost cost him his estate at the Restoration, and indeed he only saved himself by boldly denying that he had ever had any dealings with Ireton. See his examination in *Cal. State Papers*, Irel., 23 July 1661, p. 384.

[1] *I.e.* the Committee of the Council of State for Irish Affairs. On the origin of this committee see *Eng. Hist. Review*, xxi, pp. 591-592.

been in the Irish Rebellion, though they have of late consented or submitted either to the Cessation of arms or the Peace concluded with the Irish rebels) shall be secured in their personal estates and goods, that they have in Ireland, and that they may live quietly and securely under the protection of the said Parliament and their forces either within England, Ireland or Wales, and that they shall enjoy those their estates and goods, without any molestation or question from the said Parliament of England, as any others do that have not offended the said Parliament, they submitting to all such Ordinances of Parliament made, or to be made, as all others do submit unto, who have never offended the Parliament.

"Upon which Articles the questions and doubts ensuing do arise, viz. First, Whether such persons as levied war or aided or assisted the war in England against the Parliament, having estates in Ireland, be included in the said Articles, and ought to have their estates in Ireland freed from sequestration or forfeiture by virtue thereof?

"Second, Whether such persons (being sequestrable) as have lived in England during the time of the Rebellion in Ireland, and at the time of passing the said Articles (although they formerly lived and had their estates in Ireland) be included in the said Articles, and ought to have their estates in Ireland freed from sequestration or forfeiture by virtue thereof?

"There be divers great estates in Ireland the sequestration or acquittal whereof depends upon the Parliament's resolution herein." *Ib.* ff. 301-2.

132. SAME TO THE COMMITTEE OF THE NAVY.

"We have received several petitions on the behalf of Nicholas Archer of Kilkenny, who, about two years since, coming from St Malo in France for Ireland, was taken at sea by a Turkish man-of-war and carried prisoner to Sallee[1] in Barbary, where he hath remained ever since in a slavish captivity; and knowing the pious care of the Parliament in this particular, we make bold to recommend the said Archer to your serious care and consideration (as conceiving him a fit object of your mercy and charity) in order to his redemption from his present sad and deplorable condition, and desire that he may be in the list of those that receive the benefit of your first express in that behalf." Kilkenny, 17 Jan. *Ib.* f. 303.

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[1] Ever since the days of Barbarossa the Moslim pirates, that infested the Mediterranean and extended their ravages at times as far west as Ireland, had been a source of annoyance and peril to the traders of western Europe. The brunt of their attacks had been borne by Spain; but many an Englishman had endured a similar and even a worse fate than that which befell the author of *Don Quixote*, and the sack of Baltimore in 1631 was, as the Lords Justices remarked, "an event without precedent even in time of war" and an affront such as no government could tamely submit to. The result was that in 1637 an expedition commanded by William Rainborow was despatched to Sallee "for the suppressing of Turkish pirates and redeeming his Majesty's subjects."

133. SAME TO COLONEL HILL.

"At the Lord President of Connaught's desire we have written unto Col. Venables, to cause the sum of £1800, of the remainder of the £8000 which came over from England for his Lordship's forces, to be delivered into your hands, or whom you shall appoint, which we desire may be laid out by your appointment for oatmeal in the most convenient parts of Ulster, to be sent thence to Londonderry and laid up in store for the use of the forces in Connaught this next summer, to be there delivered as directions shall be given by the Lord President. . . ." Portumna, 23 Jan. *Ib.* f. 307.

134. Ordered by the Commissioners that the counties, baronies and places within the Province of Connaught be assessed with the monthly charge of £2850, *i.e.* the solvent baronies etc. in Co. Galway to be charged £2500, the solvent baronies in Co. Mayo £100, and the solvent baronies in Co. Roscommon £250. The tax to continue three months, beginning 3 February next. 26 Jan. Orders A/82. 42. f. 128.

Rainborow's expedition resulted in the release of 339 captives. But its effects were transitory and the piratical attacks of the Moors, and their renegade Christian allies, continuing with unabated energy, Edmund Casson was sent on a diplomatic mission in 1646 to arrange a treaty with the Dey of Algiers, securing freedom of trade to English merchants. But there were other slave ports besides Algiers, and despite the vigilance of the Commonwealth's cruisers British subjects were continually being captured and carried off into slavery like Nicholas Archer. About the same time a fellow-townsman of Archer's, Nicholas Langton, experienced a similar fate. (See Memorials of the Family of Langton in *Roy. Arch. Soc.* New Series, iv, p. 85.) In 1655 Government fitted out an expedition under Blake to put an end to the terror. Blake succeeded in renewing Casson's treaty with the Dey of Algiers and failing to receive satisfaction from the Dey of Tunis he destroyed his fleet. Three years later Captain John Stoakes succeeded in arranging treaties with the heads of most of these piratical states.

135. THE COMMISSIONERS TO THE PARLIAMENT.

"Our last by Major Morgan[1] gave you an account of our then being at Kilkenny and of our purpose to go to Portumna in Connaught, where we have been accordingly, and as at Kilkenny we had a meeting with most of the officers of the army and of the several forces in Munster and Leinster, and received a full account of your affairs at present in those parts, so at our being at Portumna, Sir Charles Coote and the officers in that precinct under his command and under Commmissary-General Reynolds, did repair unto us and give us also a full account of your forces and affairs in those parts; and, as we have done our endeavours to settle the assessments, excise, customs and other revenues in those provinces to the utmost that can be raised, so, by advice of the officers of the army, several things have been taken into consideration and resolved upon, in order to the carrying on of this next summer's service, and what is necessary to be provided in order thereunto, and what were necessary to be sent from England hither in the meantime, to make your forces, now in their winter quarters, as useful and active against the enemy as may be, and of all these we have given a particular account to the Council of State, who we doubt not will present the same to you as your occasions will permit and may be for your service.

"We shall now only add that in these meetings we have seen much of God in disposing the hearts of your officers and servants here, in such manner as, it doth appear unto us, there is a general concurrence and unity of spirit in them all to carry on the work of the Lord to be done in this land; and since they parted from us, most of them, in their several quarters, have made attempts upon the enemy, and in particular Col. Sankey, Col. Axtell and Col. Abbot drew several parties at one time to Ballibawne[2] in Munster, which was Fitzpatrick's stronghold, and coming at three several passes at one time upon that place, they took the castle there, which they slighted,[3] and burnt great quantities of corn and provisions and all their houses, and put 500 to the sword and drove away what cattle they found there. The like attempt Col. Hewson, Col. Pretty and other parties have begun to make at Glenmalure,[1] the great fastness in Wicklow, and have there destroyed and burnt their corn and houses and all provisions of the enemy they could meet with. At Galway the enemy made a sally out to fetch in a prey of cattle; but your forces lying in the forts near, upon notice thereof, fell upon them and rescued the prey and killed sixty of them upon the place. Most of them were citizens; and at a gentleman's castle near Tecroghan, there came two companies of the enemy to surprise the same; but the commander of the garrison of Tecroghan, upon notice thereof, sent timely to prevent that design, and killed forty on the place, and took one hundred arms; and very many other attempts have been made in other parts by your forces, so as the enemy of late hath been straitened and many of them of late put to the sword.

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[1] Major Anthony Morgan. See below, p. 282.

[2] In a preceding letter (p. 64) Ballybawn is said to have been situated in King's Co. The place intended was, perhaps, Bawn in the parish of Nenagh, and Barony of Upper Ormond, co. Tipperary, on the border of King's Co., though personally I incline to locate it about four miles east of Roscrea, where there are still the remains of the old castle.

[3] *I.e.* demolished.

"Our humble suit unto you is, that care may be taken to send over supplies of money for the payment of your forces, without which they will be put to miserable exigencies, and also that the recruits, tents, clothes, corn and ammunition and other necessaries, we have mentioned in our letters to the Council of State, may have money provided for the buying of them, so as they may be timely sent hither, it much conducing to your service and for the ending of the war, that your forces may be in the field in the beginning of May next or sooner, if the horse can live abroad. Several of the enemy's party have made some overtures to come in and submit, and at our being at Kilkenny and Portumna, with advice of your officers there, some rules have been given to those commanding in chief in several quarters to receive such whose coming in may be for your service; but the not knowing your pleasure, concerning the qualifications or terms to be held out to the Irish, doth render us not so serviceable in those particulars as otherwise we conceive we might be. Wherefore we humbly desire your pleasure therein may be speedily declared." Dublin, 4 Feb. Domestic Corresp. A/89. 49. ff. 309-11.

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[1] Glenmalure (*Hib.* Gleann Maoilughra), a romantic valley to the south of Glendalough in co. Wicklow, the stronghold at one time of the O'Byrnes and the scene of Arthur, Lord Grey's defeat in 1580.

136. SAME TO THE COUNCIL OF STATE.

"Since the last account of your affairs in Ireland sent your Lordships from Kilkenny, by Major Morgan, we have been at Portumna in Connaught, where we met with Sir Charles Coote and his officers, and find the number of your forces there, under the immediate command of the Lord President, to be (according to the last musters) thirty-four companies of foot, consisting of the number of 2291 private soldiers, besides officers, and fourteen troops of horse, consisting of the number of 982 private troopers, besides officers; and find that the pay of the said forces (according to the present proportion of pay allowed to the rest of your forces in Ireland) and of the staff officers and train belonging to that brigade (together with £20 a week allowed to Sir Charles Coote for his present subsistence, to support him in the commands wherewith he is entrusted) doth amount *per mensem* unto £4975. We find the Revenue of Connaught (besides the County of Clare, which is added to the Precinct of Limerick) to be as followeth—part of the County of Galway is charged with £2500 *per mensem*; part of Roscommon £250 *per mensem*; part of Mayo £100 *per mensem*, in all £2850 *per mensem*: the other part of the said counties (being the greater part) and the whole Counties of Sligo and Leitrim are in the enemy's possession, so that, for supplying the monthly defects of pay for the said forces, there must be issued out of the Grand Treasury monthly £2125.

"Upon serious debate and advice with Sir Charles Coote and other officers then present, it was adjudged advantageous to your service that the Counties of Leitrim and Sligo, and those places in the other counties, which yield no contribution, should be declared out of protection, as well to prevent the removing of the inhabitants now under contribution into those places, to avoid the payment of the assessments, as to compel the inhabitants in those places to remove into protected places for their security, and thereby at least hold up your Revenue and withdraw relief from the enemy, which we have accordingly done.

"In the representation, sent from Kilkenny, of what was necessary to be provided for the carrying on of the war in the spring, we find many things to have been omitted, the comptroller of the train being not then present, a note of which we have here enclosed sent, and humbly desire that those, now sent for, may be provided either at London or Bristol with all convenient expedition. We likewise in our said representation were much short in the estimate of the monthly incident charges, the erecting of bridges over the Shannon, building of ferry boats and forts upon passes on that river, the making wheels and carriages for the train (there being sixty certified to be wanting). The making of waggons for the train, the buying of oxen and horses for the train and carriages, and many other particulars (not herein or formerly mentioned) amount to very great sums, whereof we humbly desire that consideration may be had.

"We have issued out orders, for the buying of considerable quantities of corn, to be laid up in your stores, especially in inland garrisons, for supplying the forces with bread, when they draw into the field, and that £2000 should be laid out in corn about Athlone for the forces in Connaught and those parts; but we, being there, found there is no corn to be had in those parts, whereupon we ordered £1800 to be laid out for buying of oatmeal in Ulster, for supplying the forces that are and shall be drawn into Connaught the next spring; from whence likewise we are informed that there is great scarcity there and little expectation of supply from thence, which we humbly mention, that care may be had for the timely sending of sufficient supplies into these parts. We likewise find great scarcity of corn in all other parts in Ireland; but we hope that the port towns in Munster and Leinster will be better supplied by your Lordships' care than those remote and inland parts. Col. Hill and the rest of the Commissioners in Ulster inform us by letters, that the Revenue there falls short of answering the charge £700 *per mensem*, the counties of Fermanagh, Monaghan, Tyrone, Armagh and Cavan yielding yet no contribution or other revenue, and although we have ordered, and do intend to press the Commissioners there to raise the defective sum upon the four solvent counties of Down, Antrim, Londonderry and Donegal, as being best able to bear an additional charge of any counties in Ireland, yet we humbly conceive that some supply will be necessary for that province, either in corn for the summer service, or in money to enable them to make provision there.

"We humbly desire that the supplies of treasure may be hastened, the last supply being already spent, and the forces begin to be in arrear and will very suddenly be in great want, if the supply expected arrive not in very few days; and we humbly offer whether it be not fit that some persons here may have advice from the Treasurers-at-War what money they send to their Deputy in specie, and what defalcations are made of such monies, as your Lordships order to be sent over for the carrying on of your affairs, which we mention because of the £50,000, ordered by your Lordships, and which arrived in December last, there came but £39.220.9s. 5d. in money, the rest was defalked for money paid in England, and a great part of those defalcations were for money paid to cutlers and shipmasters and for buying of provisions, which we conceive your Lordships intended not to have been abated out of the money appointed for the monthly pay of the soldiers. We understand, by letters received this day from Connaught, that the *Dragon* frigate, laden with clothes and ammunition (having been driven to sea by storms and in great danger) is now arrived in the Bay of Galway, the clothes having received some prejudice by wet. We hear nothing of the rest of the clothes, nor of any other provisions as yet arrived in any port." 5 Feb. *Ib.* ff. 312-5. *Enclosed.*

136 (i). An estimate of what necessaries are wanting for the repair of the train of artillery with the bridge and boats and other supplies for the service in Connaught. *Ib.* f. 316.

137. SAME TO THE COUNCIL OF STATE.

"When we were at Kilkenny we had several proposals made unto us by the officers then present, in order to the preventing the enemy of such relief as they now have from and within the quarters under protection, for the deterring of such as are under protection to go into arms again, and for the breaking of the enemy's strength, by admitting such, as shall deliver up their arms and submit to the authority of the Parliament, to live under protection, until the pleasure of the Parliament or of your Lordships be known concerning them; and upon debate of them at a Council of War, the several Declarations and Orders enclosed[1] were agreed upon, and accordingly issued forth; which we thought fit humbly to acquaint your Lordships with. Since which time several overtures have been, by some of the leading men amongst them, made for the laying down of arms upon terms. One Richard Burke,[1] the Earl of Clanricarde's next heir, who commands in chief the forces under Clanricarde in Connaught, except Galway, hath made some propositions for the rendering of Sligo, Jamestown, Roscommon and Drumrusk, being four considerable garrisons, and give you the possession of the counties in Connaught bordering upon the Shannon and now out of your possession. It was conceived at a Council of War, held at Portumna, that if the said places could be timely gained upon any honourable terms, it would very much advantage to your service, as well in saving the lives of your men, which would be hazarded in the forcing of those places, as in gaining of time for the more effectual reducing of Galway, which probably will not hold out long if those places were in your possession, and the said Burke and his adherents come in and submit, and therefore the votes and resolutions enclosed [wanting] then passed. But we have had yet no account what hath been done thereupon. We find that many leading men of the enemy would lay down arms, if they might have liberty to carry men into Spain, which is conceived, by those that serve you here, would much conduce to the settlement of the country, if your Lordships approve thereof.

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[1] See above, Nos. 122-124.

"It is a sad thing to consider (and we are loath to mention it) what vast numbers of men have perished in Ireland, by the hardship of the service, cold (through want of clothes), and diseases of the country. We are credibly informed by your officers

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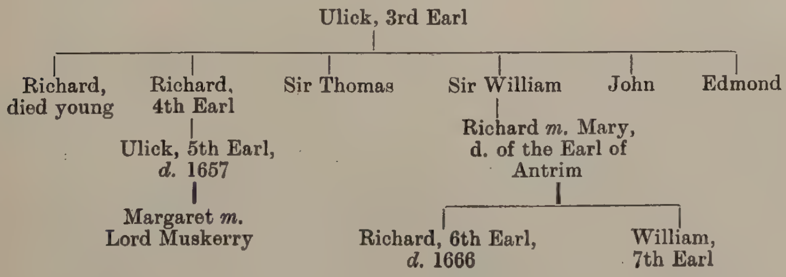
[1] This was Richard Burke, afterwards sixth Earl of Clanricarde. The following table will show the relationship:—


Ulick, 3rd Earl
Richard, died young
Richard, 4th Earl
Sir Thomas
Sir William
John
Edmond
Ulick, 5th Earl, *d.* 1657
Richard *m.* Mary, d. of the Earl of Antrim
Margaret *m.* Lord Muskerry
Richard, 6th Earl, *d.* 1666
William, 7th Earl

that one third part of the recruits you sent over the last year are not now alive, whereby your Lordships may perceive what need there is of hastening over the number of recruits desired well clothed, and that aged, diseased persons, and children may not be sent over, of which sort many of the last year's recruits were, which hath been a great charge to your hospitals and of no use for your service." 5 Feb. *Ib.* ff. 317-8.

138. Same to the Lord Lieutenant.

Acquainting him with the substance of the above letter. "We have nothing further to trouble your Excellency therein, but humbly to beg your care in reminding the Council that the particulars mentioned to them, in both our letters, may be speedily provided and seasonably sent over to us, that, through want thereof, your forces may not be disabled from taking the field on the first opportunity of doing other services upon the enemies, which we hope may be the latter end of April next." 5 Feb. *Ib.* f. 321.

139. Same to Commissary-General Reynolds.

". . . We desire you to go on in the necessary fortifying of the town of Athlone, and preparing safe quarters for your party on both sides the river as yours propounded, as also to repair a better house for your own quarter or residence there, and by the next you shall receive the order for £2000 to be raised for that purpose, out of the respective provinces in the most equal manner we can in the meantime think of, and desiring to hear from you touching your own and the enemy's condition as often as conveniently may be, and what corn can be had from Westmeath we desire may be got to Athlone; and when we understand from you what quantity you can so procure and the price of it, we will give order for payment." 5 Feb. *Ib.* f. 322.

140. Ordered by the Commissioners that the following places in Connaught be excluded from protection, viz:—Co. Leitrim (except the Baronies of Leitrim, Mohill and Drumahaire); in Co. Roscommon, O'Hanly's country,[1] the territories of

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[1] O'Hanly's country lay between Strokestown and Roscommon, included in the parishes of Kilglas, Termonbarry, Clontuskart, Kilgiffin and Lisonuffy.

Artagh and Terchowle[1]; Co. Mayo (except the Baronies of Kilmaine, Carra and Tirawley); in Co. Galway, the Baronies of Moycullen and Ballynahinch, half-Barony of Ross, half-Barony of Burrishoole, half-Barony of Aran, half-Barony of Killian, the Parishes of Bennagh, Kilkeran, Moylagh in the Barony of Tiaquin, the Parish of Ballinakill in the Barony of Longford; in Co. Sligo, Barony of Coolavin (except the Randes). All inhabitants to remove from the places excluded from protection before 10th March; such as remain after that date to be accounted enemies and spies. 6 Feb. Orders A/82. 42. f. 134.

141. THE COMMISSIONERS TO THE COMMISSIONERS AT BELFAST.

Announcing that they see no reason why trade should be longer prohibited, and authorising the Commissioners to open and encourage a free trading with Scotland and the Isle of Man, in all lawful and allowable commodities; but, having regard to the present scarcity in Ireland, desiring them to take especial care that neither wheat nor any sort of grain nor victuals be exported. They approve the Commissioners' proceeding in farming out the excise, provided the grants made be but for a short period. Further they commend the care taken by them to restrain those suspicious persons, whose passes were defective, but desiring them to have special regard to preserve any articles made by any in command for the service of the Commonwealth of England, though they are of opinion that the capitulation made with Balcarres,[2] according to the copy sent by them, does not extend licence for any of them to come to Ireland, except further licence be granted by any of the Commanders for the Parliament in Scotland. These they are willing to make good, unless the Commissioners anticipate any inconveniency, in which case they are desired to write to the Commander-in-Chief in Scotland that such licence be in future forborne. 12 Feb. Domestic Corresp. A/89. 49. ff. 325-8.

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[1] Terchowle I take to be Tir-Tuathail (Tirhoile), a district between Lough Key and Lough Allen, regarding which see O'Donovan, *Four Masters s.a.*, 1464.

[2] The Articles of Capitulation between Alexander Lindsay, Earl of Balcarres, and the English in Dec. 1651 are printed in Sir James Balfour's *Annals*, iv, pp. 345-346.

142. A Proclamation of the Commissioners of Parliament excluding Wicklow and other parts of Leinster, which are harbours and receptacles for the enemy and other bloody mischievous persons from protection, for one year beginning 28th inst. Feb.[1] 13 Feb. Orders A/82. 42. ff. 137-9.

143. THE COMMISSIONERS TO THE TREASURERS-AT-WAR.[2]

"Having received advice that the late Treasurers-at-War have laid down their Commission, and that the Parliament hath voted you to succeed in the employment, since which notice Mr Bowles,[3] who was employed here as agent or deputy to the said Treasurers, hath ceased to act and engage any further in their names, alleging his power and instructions to fall and to be void by the said Treasurers' discharge from their employment, by reason of which we have been put to very great straits and difficulties for money to supply the continual and pressing wants of our forces in this province." But we have ordered him to charge Bills of Exchange upon you for £3600, which he hath taken up here of several merchants. 17 Feb. Domestic Corresp. A/89. 49. *Ib.* f. 333.

144. An account of money received from the Treasurers-at-War, by them paid in London until 12 February 165½, viz. July 1651 received by several Bills charged on the Treasurers payable to several persons in London, £4000; November 17 to Mr Charles Walley or his order £250; November 18 to Mr Simeon Finsham £100; September 24 to Mr John Ord by Bill £2000; October 9 to Mr John Ord £2000; December 2 to Mr Philip Goldsmith £300; December 16 to Mr John Ord £2200; December 24 to the same £1000; December 24 to Mr Lucas Lucy £320; December 31 to Mr Crofts £100; December 31 to Mr Joseph Denham £50; January 2 to Mr John Ord £200; January 5 to Major John Bligh £1200; January 5 to Mr Jacob Willet £300; January 7 to Mr William Cox £1500; January 13 to Mr Thomas Hill £50. Total £15,570. 18 Feb. *Ib.* f. 340.

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[1] Printed in full in Gilbert's *Contemp. Hist.*, iii, pp. 283-284.

[2] The new Treasurers-at-War were Wm. Leman and John Blackwell, junr.

[3] Thomas Bowles was afterwards appointed a Commissioner under the Act of 25 August 1652 for stating the accounts of the army (*Cal. State Papers*, Irel., 1647-1660, p. 618). He was paid a salary of £300, half in cash and half in debentures. In 1664 information was laid that he was indebted to the State in the sum of £1600 and order was given for the recovery of that amount.

145. The Commissioners to the Council of State.

"We have formerly given the Council an account of the counterfeit money that was found here in Dublin, and the several persons suspected to have acted in that business. We have formerly sent your Lordships several examinations taken before us, and of several letters taken by us concerning that business, and lately, upon the coming over of one Markes, we have secured him and taken his examinations and several letters of his own handwriting, and some letters lately intercepted by us that came from Hill and Booth, the copies of the letters lately taken and not sent formerly we do send enclosed [wanting]; and for, that we do find the counterfeit money was coined in England, and the principals are there, we shall shortly send three prisoners that are here and all the original examinations and letters, and shall humbly leave the same to be further proceeded in, as to the Council shall seem just." 19 Feb. *Ib.* f. 341.

146. Same to the Council of State.

"Since our last despatch to your Lordships there hath not been any action or alteration in your affairs here, worth your trouble to peruse a relation of them. Your forces in their respective quarters are very vigilant and active in the prosecution of your service, and God is pleased almost every day to deliver some of the enemy into their hands. We have, by the advice of a Council of the Officers of the army at several meetings, issued forth and caused to be published in print the several Orders enclosed, which we humbly present to your Lordships' view and approbation (if you conceive fit) of the courses therein held forth, it being (as is conceived by those that serve you here) much conducing to the straitening of the enemy and ending of the war. We have in our last, and now again, humbly taken the boldness to inform your Lordships that there is no provision of corn, oatmeal, or cheese to be had in Ireland, for the supplying of your forces in Connaught and Limerick, to prosecute the war this spring in those parts, which we mention that your Lordships may order full and timely supplies of provisions for the forces in those parts. The country about Athlone, both in Connaught and Leinster, are so wasted, that we are necessitated to send from this town 30,000 weight of biscuits, 15,000 weight of cheese, with a considerable quantity of salt, for the forces at Athlone, under the command of Commissary-General Reynolds, to preserve them from perishing for want of bread ; but the way (being sixty miles) is so far, and the convoy must be so considerable, that the charge of carriages and prejudice done to the troops by continual long marches through a wasted country (besides the loss of their service upon the enemy, during the time they are all upon convoys) amount to much more than the provisions can be worth in any market.

"This summer is like to be a time of great scarcity of corn in Ireland, Irish wheat being the last market in this town sold for above £3. 10s. a quarter[1]; and being sensible thereof when we were in Connaught, we then sent £1800 into Ulster, for the buying of oatmeal to supply the Connaught forces, in the months of May, June and July, lest full supplies from England should fail them; but the last week we received advice from the Commissioners in Ulster, that there is no oatmeal there to be had for money, who withal inform us, that they cannot possibly make provision of oatmeal for the forces under Col. Venables' command and their pay, without a timely supply of money to enable them to buy corn, or other grain in Lancashire, or where else it may be had, because the whole Revenue in Ulster (as they inform us) falls short £240 *per mensem* to pay the forces there. Whereupon we (not knowing whether any supply be intended them from England) gave them power to make use of the said £1800, to make provision for the march of the said forces in the spring, they undertaking to repay the same to the Grand Treasury at the latter end of the year, when the deduction is made out of the soldiers' pay for the said provisions.

"Your affairs here have been of late very much straitened for want of money to pay the forces, occasioned, as we conceive, by the change of Treasurers, their Deputy here having no authority from them to charge them with money by exchange (as he allegeth) ; but the very great prejudice that was likely to ensue to your service, for want of money, hath necessitated us to order Mr Bowles, deputy or agent here to the Treasurers-at-War, to draw upon the principals £3600, whereof £2900 for the pay of the forces of this precinct and £700 for the pay of [the] Life Guard, Capt. Ivory's[1] troop, part of Capt. Gale's[2] troop and Capt. Carter's company of foot, who depend for pay upon the Grand Treasury at Waterford, but being here, could not possibly be paid from thence nor in any other way. We humbly pray that your Lordships will be pleased to order the payment of the said £3600 by the Treasurers, and that the merchants may receive no discouragement or prejudice by being delayed in the payment thereof. We have formerly presented your Lordships with an estimate of your monthly charge in Ireland; the Revenue arising here towards the same ; and the monthly defects to be supplied from England, an abstract whereof, more exactly in some particulars than the former, we humbly here enclosed send you, and most earnestly desire that an effectual course may be settled by your Lordships for the constant supplying of the monthly defect charge therein mentioned, and that the Treasurers be desired to give power to their agents, or deputies in Ireland, to draw upon them by Bills of Exchange, for what shall be wanting in the respective branches of the Grand Treasury here, to pay the forces according to the said estimates." 20 Feb. *Ib.* ff. 342-4.

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[1] The average price of wheat in England from 1646-1655 was £2. 11s. 7d. per quarter; from 1656-1665, £2. 10s. 3d.

146 (i). SUMMARY OF THE ABSTRACT ENCLOSED IN THE ABOVE LETTER.

Limerick	Precinct.	Precinct	Supplies	£3150	0	0	Deficit	£4852	8	0
Waterford	,,	,,	,,	570	1	9	,,	357	3	11
Dublin	,,	,,	,,	4500	0	0	,,	2478	2	0
Cork	,,	,,	,,	2944	0	0	,,	471	16	4
Clonmel	,,	,,	,,	3000	0	0	,,	1482	18	2
Kilkenny	,,	,,	,,	1160	5	0	,,	979	19	4
Wexford	,,	,,	,,	760	0	0	,,	975	5	0
Connaught	,,	,,	,,	2850	0	0	,,	3795	0	0
Ulster	,,	,,	,,	700	0	0[3]	,,	240	0	0

Monthly charge of new forces sent over this winter £2214. 5. 0. Train and incidents according to Kilkenny estimate £3000. Total charge £20.846. 17s. 9d.

There is further to be added the pay of the Life Guard which amounts to £333. 9s. 4d.; likewise three companies in Dingle in the County of Kerry not comprehended in the former estimate.

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[1] Capt. William Ivory of Ludlow's regiment of horse, belonged to an old co. Wexford family. In satisfaction of his arrears he received a grant of the Castle of Mountgarret near New Ross, with considerable lands attached.

[2] Probably Anthony Gale of Crockenteagle (? Crockann) in the barony of Slievemargy, Queen's County. He is mentioned in the *Clarke Papers*, i, 156, as an active person faithful to the Parliament.

[3] Whereof £460 is respited in the soldiers' pay till Cavan, Monaghan, Tyrone etc. be reduced and brought under contribution.

"If the monthly supply be not sent over in money, without deductions, it is impossible to prevent soldiers taking of free quarter, which will immediately destroy the monthly assessments, contract great arrears upon the State and disable such as serve the Parliament here to make provision for the forces when they march; and such prejudice as will ensue, by taking free quarters one month, will not be recovered in twelve months, in respect of the loss in contribution or assessments, besides the many disadvantages that will follow by the soldiers running in arrears of their present pay." *Ib.* ff. 345-7.

146 (ii). COUNTIES IN IRELAND YIELDING AS YET NO CONTRIBUTION OR PROFIT, THE INHABITANTS BEING UNIVERSALLY ENEMIES.

"In Ulster: Tyrone, Fermanagh, Monaghan, Armagh (wholly).

"In Connaught: Leitrim and Sligo (wholly), Mayo except one barony, Roscommon except two baronies, Galway one half out of protection.

"In Munster: Kerry (wholly).

"In Leinster: Longford, Westmeath, King's County, Queen's County, Wicklow. These are wholly in rebellion or waste, except a little we have out of Westmeath, King's and Queen's Counties, which amounts in all to £300 *per mensem*." There are besides large tracts yielding no Revenue: a great part of County Cork and Tipperary, half the County of Wexford, great part of the counties of Carlow, Kildare and Dublin, the Barony of Burren in Clare. Besides of the parts assessed two parts out of three are waste, wanting inhabitants and cattle. *Ib.* f. 348.

147. SAME TO COMMISSARY-GENERAL REYNOLDS.

". . . The despatch concerning Fitzpatrick you will receive by the Scoutmaster-General.[1] We have sent you some printed orders you writ for. As touching your intention of marching into Callough[1] we cannot at this distance judge of the advantage which may be gained thereby, nor of the conveniences which you may have for your march thither and stay there, although we are very well satisfied that the gaining and keeping of the place will very much straiten the enemy, and prevent their frequent passing over the Shannon in those parts, and therefore we must leave that to your management, as the Lord shall incline your heart and enable you to carry on the same; and in order thereunto you may, if you see cause, command Capt. Ewer's[2] company to help you for some short time in that service. As touching clothes to be delivered out to the soldiers before the middle of March we conceive it not advisable for us to infringe the General Orders made at Kilkenny, without we see very apparent necessity for it. We are very much satisfied that there should be commissioners settled at Athlone, to manage affairs there and in the parts adjacent, and intend to advise, with such as are able to inform us, what part of the country is fit to be reduced into a precinct, to be annexed to Athlone and then to settle the same. In the meantime we cannot see how the proposals you make for the repairing, building, and ordering men's interests in houses in the town can be prosecuted without too much trouble to yourself. . . ." 23 Feb. *Ib.* ff. 350-1.

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[1] Dr Henry Jones.

148. SAME TO CAPTAIN CLARKE, ON BOARD THE *Reserve* FRIGATE, IN THE BAY OF GALWAY.

"We have received yours of the 14th of this month, by which we understand the continuance of your care and industry, in preventing the coming of relief to the rebels at Galway and places adjacent, for which we return you thanks, and doubt not but your service will receive much acknowledgment from the Parliament, as your sufferings and pains do merit from them. We have received your petition concerning the injury done you in the beginning of the war from the Galway men,[1] which will be more seasonable to be offered, and fitter for us to take into consideration, when the town is upon treaty, or shall be rendered to the Parliament. In the meantime you may rest assured that we are." 23 Feb. *Ib.* f. 354.

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[1] Callough or Callow (*Hib.* Caladh), still so called by the natives, is a marshy district of considerable extent along the eastern side of Lough Ree in the barony of Rathcline, co. Longford.

[2] Captain Ewer was the nephew of Col. Isaac Ewer, who came to Ireland with Cromwell in command of a regiment of foot and died of the plague in 1650. Capt. Ewer's company forming part of Ludlow's regiment of horse was disbanded in 1656, and his uncle, Secretary Thurloe, who described him as "a very sober young man and valiant," greatly interested himself with Henry Cromwell in his behalf.

149. SAME TO MR KNIGHT, MINISTER OF THE GOSPEL.

"Upon the request of Col. Lawrence, in the name of himself and many others of the godly inhabitants of the City of Waterford, we thought meet to write these lines to you, to invite you to come over to that city, which is a place likely to be a very comfortable English plantation in a short time, in which there are already (as we are informed) a considerable number of godly people, many of which being already members of several Independent Congregational Churches in England, and divers others with them, desirous to join together in fellowship, if they had but a fit man to take the charge of them as pastor; and yourself, being well known to Col. Lawrence, Chief-Justice Cook, and many others of them, and earnestly desired by them all, both in order to the forementioned work, and also for the public preaching of the word to that whole city, being at this time without any settled minister, we desire in their behalf you will own this invitation, from ourselves and them, as a clear call to a place, where in all probability, with God's blessing, you may reap as much fruit of your labours in the ministry, and bring much glory to God in advancing and propagating the Gospel of his Son, which we hope is the chief thing you aim at, and therefore shall propose no other encouragement to you. . . ."[2] 28 Feb. *Ib.* ff. 355-6.

150. SAME TO THE COUNCIL OF STATE.

"Since our last despatch to your Lordships we find no alteration in your affairs, except in the want of the timely coming over of the treasure, which puts the poor soldiers into extremity of hardship, all kinds of provisions in this land being at excessive rates, and in many places not to be had for money. We have this week sent to Athlone, from this town and Trim, for the relief of your forces there under the command of Commissary-General Reynolds, 200 barrels of wheat, 30 thousand weight of biscuit, and 15 thousand weight of cheese, there being no provision to be had in that country. Your forces are in good order and very active in the prosecution of the enemy in their respective fastnesses, upon whom they have done divers good services this winter, by destroying many of them and taking away their relief insomuch that the enemy themselves confess their condition to be very low and desperate, and many of them, who command in their respective quarters, have of late desired treaty in order to gain some conditions of peace. The last week there came to this town a trumpeter from the Earl of Clanricarde, with a letter to the Commander-in-Chief of your forces (a copy whereof and of the answers returned thereunto we herewith present your Lordships). The signification of your pleasure in answer to ours of the 26th December from Kilkenny would much guide those that serve you here in affairs of this nature. We have in our despatches from Kilkenny of the 7th of January, and from Dublin of the 5th and 20th February humbly offered to your consideration what we then conceived was necessary to be considered of by your Lordships, for the carrying on of your affairs here at present, and in order to the lessening of the charge of England the next year. . . ."

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[1] See note, p. 167.

[2] Mr Knight did not apparently accept the call. The minister appointed was Edward Wale.

"*P.S.*—Since the writing hereof we received information from Commissary-General Reynolds that he marched into the Callough (being an island bordering on the west, upon the Shannon, and environed on the other side with bogs), where the enemy had three garrisons, the country wholly under their command. Upon his first entrance the enemy quitted two of their garrisons, and the next day surrendered the third, being the fort of Ballileague,[1] a place of much importance, indifferent strong and capacious, and the only pass for horses over the Shannon between Athlone and Jamestown. The Articles of Surrender [2] we send enclosed. In the gaining of this place, there is gained 400 barrels of corn for your forces at Athlone, which we look upon as a very seasonable mercy, and likewise forage for some troops, which were in great necessity for want of quarters. It likewise interrupts the frequent conjunction of the Ulster and Connaught forces, and gives you good footing in the county of Longford, which hitherto hath been wholly possessed by the enemy. Capt. Scrimsheye, lieutenant of his troop of dragoons, fell, with the said troop, the last week, into the enemy's quarters, took a captain and slew thirty of his men. Capt. Gilbert Governor of Tecroghan took lately one Lt.-Col. Tyrrell,[1] a notorious active rebel and three other officers with him. Sir Theophilus Jones' horse forced a castle upon the Ennis,[2] being a pass out of Westmeath into Longford, put some found there to the sword; and there being in the castle thirteen priests and friars, they leaped into the river (having about them £2000 in money and plate) and there perished." 1 March. Domestic Correspondence, A/90. 50. ff. 1-3. *Enclosed.*

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[1] Ballyleague, now Lanesborough, at the junction of the Shannon and the head of Lough Ree.

[2] Articles of agreement between the Hon. Commissary-General Reynolds and Captain Fargus Farrell, Governor of the fort of Ballileague for the surrendering thereof, being Feb. 24, 1651.

(1) That the fort be surrendered to the Commissary-General or whom he shall

150 (i). The Earl of Clanricarde's letter to the Commander-in-Chief of the Parliament's forces in Ireland.

"Sir, Several of the nobility, clergy, and other persons of quality and interest in the kingdom, together with the Corporation of

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appoint to-morrow by ten of the clock in the morning, being the 25th of this inst. February.

(2) That the goods there belonging to Capt. Farrell he, or whom he appoints, be permitted to carry them away within the space of ten days, during which time himself and two servants are to remain in the said fort.

(3) That he shall be received into protection and live in the Island of Loughbanon and have the liberty of 12 musketeers to defend himself and family from idle persons, provided he gives security that they shall not act anything prejudicial to the State of England.

(4) That the said Capt. Farrell be permitted to march out of the said fort with all his soldiers, with their arms, bag and baggage, and to return within 24 hours, all his firearms, about the number of 30, to the officer now commanding the fort by order from the Commissary-General and to have allowed him three parts of a barrel of powder with a proportion of ball and match out of the store of the said fort. (*Signed*) Fargus Farrell. Articles of Capitulation of Cities, Towns and Garrisons on behalf of the Commonwealth (Public Record Office, Dublin). f. 51.

[1] Conjecturally Thomas Tyrrell of Kilbride in the Barony of Fartullagh, co. Westmeath. Thomas was a member of the Supreme Council of the Confederates, and an opponent of Rinuccini. He was restored to his property by the Act of Explanation in 1665.

[2] *Recte* Inny (Eithne).

Galway, being met in this town, and having taken into their consideration the present state and condition of affairs, and the destructive effects of a long-continued war, have made it their suit and request unto me, to propose unto you the entertaining of a treaty, in order to a settlement in this kingdom, and for your safe conduct to such Commissioners as I, by their advice, shall think fit to employ unto you, for the carrying on of that matter, which request of theirs I have condescended unto by this express, directed to you to that effect, with this further intimation that I shall not quit or decline them or their interests, until I see them settled in a good condition fit for the nation to accept, or if that will be denied them, resolved to continue his Majesty's authority and protection over them to the uttermost trial, and do not doubt, by God's assistance, with the forces and arms we have already, and such aids and supplies as probably may come from his Majesty and his allies abroad, but that we may be so enabled as to alter the present state of affairs, or, if that should fail, at least make the conquest you have hitherto gained, for a long time of little use or advantage to you, and sell our lives at a dear rate if compelled thereto, and so leaving it to your consideration and expecting your timely answer and certain resolution I remain, your servant, Clanricarde. Galway, 14 Feb.

"If you please to send the safe conduct desired, I expect it may be sent to Sir Charles Coote, or any other you shall think fit near this place, with a blank for the number of five Commissioners and their retinue, not exceeding in the whole the number of twenty, whereby upon intimation from him I may send him a list of the names of the Commissioners."[1] *Ib.* ff. 3-4.

150 (ii). THE LIEUTENANT-GENERAL'S ANSWER.

"My Lord, By your Lordship's of the 14th instant you propose unto me the entertainment of a treaty, in order to a settlement of this kingdom, and do desire my safe conduct for such Commissioners as you shall think fit to employ unto me for the carrying of that matter; whereunto, upon advice with the Commissioners of the Parliament of England

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[1] This letter and Ludlow's answer, not in quite the same language and wrongly dated 24 March, are printed in Ludlow's *Memoirs*, i, pp. 305-307, and *cf. ib.* p. 504-505.

and divers General and Field Officers of their army, I have thought fit to give you this return: That the settlement of this nation doth of right belong to the Parliament of the Commonwealth of England, to whom we leave the same, being assured they will not therein capitulate with those who ought to be in submission, yet stand in opposition to their authority; but if the Lord have that mercy in store for any, who are at present in arms against them, as to incline their hearts to a submission to that Government, which he by his providence [hath placed][1] over them, upon timely application made to their ministers here [on the behalf of particular persons, or places],[1] such moderate terms will yet be consented unto, as men in their condition can rationally expect. As to the intimation of your future hopes and resolutions, I shall only say thus much, that it hath been the practice of those who have served the Parliament in this cause, to act according to their duty, and to leave the success to him who disposeth the issues of all things, and as the Lord hath hitherto enabled them exemplarily to proceed against those whose hearts have been hardened, upon vain and groundless expectations, to withstand offers of such favour as have been made unto them, so I assure myself he will still own them in his own way and work, wherein that we may be continually found is the desire of your Lordship's humble servant, Ed. Ludlow." 24 Feb. *Ib.* f. 4.

151. SAME TO COMMISSARY-GENERAL DEN.[2]

"We thought good to acquaint you that there is a considerable quantity of the provision designed for Ireland, to carry on this summer's service, to be landed at Limerick, where we desire you would give your attendance in order to the receiving and laying up the same. . . ." 16 March. *Ib.* f. 11.

152. SAME TO SIR HARDRESS WALLER.

"The Lord President of Connaught hath written to us, desiring that he may be supplied with foot from you against the last of April, for blocking up the other side of Galway, which we look upon as the most considerable service that is now to be done in this country, and accordingly we recommend the care thereof to you. He doth further desire to be furnished with such ordnance as are now at Limerick and fit for use, which we also offer to you. He likewise desires 300 barrels of powder with ball and match proportionable and bullets of all sorts for ordnance, and tent cloth; all which we hope will be supplied out of England and will probably land at Limerick, from whence he may be furnished with so much as shall be necessary for the service. . . ." 19 March. *Ib.* f. 13.

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[1] The words within the brackets are supplied from the letter as printed in Firth's *Ludlow*, i, p. 505, from *Mercurius Politicus*.

[2] Query Henry Denn.

153. Ordered by the Commissioners that the Commissioners of Revenue within the Precinct of Dublin do sit three days a week to let lands. 19 March. Orders A/82. 42. f. 168.

154. THE COMMISSIONERS TO SIR C. COOTE.

". . . In your Lordship's of the 10th inst.[1] you mention the Galway men's insisting upon the third part of their goods in the town as the thing that is likeliest to stick with them, concerning which you will receive some intimation from the Lieut.-General." 20 March. Domestic Corresp. A/90. 50. f. 31.

155. SAME TO THE COUNCIL OF STATE.

"The diligence and activity of your officers and soldiers this last winter hath been such, that the enemy thereby hath been much straitened in all parts of this nation and reduced to a low condition at present. Many of them have been put to the sword, and they are generally disenabled from being so destructive to your quarters as formerly. Of late many applications have been made by the Irish to several of your officers, who have seemed willing to submit and come under your protection, and some have come to such terms as they have been admitted, of whom Fitzpatrick (the most considerable of their party), who this last year hath been a very active enemy; and many of your parties (that should have been elsewhere employed for your service) were often constrained to attend his motions. The directions to treat with him were agreed on by advice of so many of your officers as could well be got together, who upon return of the same to us were again consulted with, and it was conceived in all their opinions here upon the place, that the consenting to these Articles much conduced to your service, especially at this time, when the enemy do endeavour a general treaty for the whole nation, and, if that be denied, then to gain a general rising of the nation against you. But this Fitzpatrick being the first that hath submitted on any reasonable conditions, his example (as is conceived) may much conduce to the breaking their generally endeavoured union. The particulars of Col. Fitzpatrick's first proposals and what was after agreed upon is herewith enclosed. As to that of his estate (which he desires may be kept unknown unto his party, and so is by itself) he did much insist upon, it being settled on him after his father's death (who is yet living) before the wars began, and was then of the value of about £1000 *per annum*, but was then and still is in mortgage for several considerable sums of money, besides other encumbrances, and now is all without house, tillage and cattle, being wholly waste and ruinous.

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[1] The letter is printed in Firth's *Ludlow*, i, p. 307 (note), from *Several Proceedings in Parliament.*

"The Earl of Clanricarde hath sent a trumpet to the Lieut.-Genl. with a letter, the copy whereof, and the answer thereunto, is here enclosed. Since that, Sir Richard Barnewall,[1] and Col. Bagenal[2] have come with a letter from an assembly of the Irish at Garrench,[3] which is in a fastness of the great bog of Glenmalier[4] in the Queen's County in Leinster and signed by their President, as they term him, a copy whereof, and the answer thereunto, with their additional paper and answer thereunto, is here enclosed. Since that, Sir Richard Blake [1] hath sent from Galway another letter to the same effect, the copy whereof and the answer thereunto are also enclosed.

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[1] Sir Richard Barnewall, the eldest son of Sir Patrick Barnewall of Crickstown, co. Meath, was born in 1602. He succeeded his father in 1624, and sat in Parliament in 1639 as M.P. for co. Meath. He threw in his lot with the confederates, and was transplanted to Connaught as an innocent papist (see below, p. 421); but was restored to his estate (which had passed into the hands of John Blackwell) as a nominee in the Act of Settlement. He married Thomasine, daughter of Edward Dowdall of Athlumney, co. Meath, and was succeeded by his son, Sir Patrick.

[2] Col. Walter Bagenal, a descendant of Sir Nicholas Bagenal, Knight-Marshal of the Army in Elizabeth's reign, was the son of George Bagenal of Dunleckney, co. Carlow, who died in 1625. Walter was at that time twelve years old. When the Rebellion broke out he threw in his lot with the Confederates; but having signed an order for the execution of one William Stone as a spy in May 1642 (*i.e.* before the date of the official recognition of the war) he was, though at the time a hostage in the hands of the Government, tried and shot for the same at Kilkenny in Oct. 1652. (*Cf.* Hickson, *Irish Massacres*, ii, pp. 56-61, and Firth, *Ludlow*, i, p. 330.) He left a son Dudley, as to whom see below, p. 592.

[3] Garrench, I take to be Garryhinch, near Portarlington, on the borders of King's and Queen's Counties.

[4] Or Clanmaliere, a district on both sides of the Barrow, partly in Queen's and partly in King's County, represented by the baronies of Portnahinch and Upper Philipstown; originally the tribe-land of the O'Dempsies.

"Upon advice with the officers of your army at Kilkenny, in December last, it was ordered that a considerable party of horse and foot under the command of Commissary-General Reynolds should be sent to Athlone (which place lies in the centre of the nation); which party is accordingly drawn thither, and the Commissary-General hath already made good use of them to your service, having reduced Ballileague and two other garrisons in the Callough, and thereby gained a very considerable pass over the Shannon, a firm hold and footing in the County of Longford, which county was before that wholly possessed by the enemy. A good quantity of corn and forage was found there for his forces, which he stood in great need of; and for a further supply of the wants of that party, they being in a wasted country where relief cannot come to them by sea, we have sent to Athlone, from Dublin and Trim, about four months' provision of wheat, biscuit, and cheese. We understand that your Lordships have designed some troops of horse to come shortly over. We humbly offer that in our opinion there will be more need of foot than of horse to carry on the remaining part of your service here, and we could wish that (for the ease of the great charge to the Commonwealth) they came over for recruits, rather than in entire troops and companies, which is all we shall trouble you with at present." 22 March. *Ib.* ff. 14-5. *Enclosed.*

155 (i). THE PROPOSALS DELIVERED THE SIXTH OF MARCH TO THE COMMISSARY-GENERAL BY COL. JOHN FITZPATRICK.[2]

"1. That an act of Indemnity be given me, my father, and those of my party, that will submit to the present Government.

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[1] Sir R. Blake of Ardfry, near Oranmore, co. Galway, M.P. for the county in 1634 and 1639, was an active member of the Supreme Council of the Confederation. As chairman of the General Assembly in 1648 he was an earnest advocate for the treaty with Ormond and is described by Carte as "a man of great activity, prudence, moderation and integrity."

[2] See note, p. 31.

"2. That we may have liberty of our religion and the due exercise thereof, though not affirmatively yet tacitly.

"3. That my estate be secured myself, those under my command and my own, free from any manner of charge.

"4. That if I serve the State in the service of France, that I may have the absolute command of all those that engageth under me in that service, and the disposal of all such employments as shall fall in that party, and that they have the same advance as the rest of your own party shall have, that engageth in the said service of France, and the same recruit from time to time during their continuance in your service.

"5. That I have a troop of horse and a foot company in pay in this kingdom, to defend myself and my friends from Tories and malefactors, and that I may be capable of martial and civil governments.

"6. That in case I join not with the State in the wars of France, I have solvent, convenient, and safe quarters, and garrisons for my men, until I agree with some other prince in league with the State.

"7. That I may be permitted to take up all my arrears and assignations, wherever it be due in this kingdom, and all other lawful debts.

"8. That if I resolve for Spain, I and my party be permitted to make sale of our horses and arms the best we may.

"9. That it shall not be in the power of any Parliament hereafter sitting to recall any of the conditions granted to me or to my said party.

"10. That neither myself or my party be liable or subject to suits, satisfaction, or reparation or[1] any act committed by them or me since our taking up arms.

"11. That myself, or such of my party as pleaseth to live peaceably, may be at liberty at our will and pleasure to do so.

"12. That I may not be answerable for any unjust act committed by my father.

"13. That I may not be under the power of Col. Axtell.

"14. That whereas the country of Upperwood[2] be out of the line, and no way profitable to the State, I may have a *custodiam* thereof to me and my heirs for ever." 6 March. *Ib.* ff. 17-18.

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[1] *Sic*; read "for." [2] Query Upperwoods in Queen's County.

155 (ii). ARTICLES OF AGREEMENT MADE AND CONCLUDED 7 MARCH 1651[-2] AT STREAMSTOWN IN THE COUNTY OF WESTMEATH BETWEEN COMMISSARY-GENERAL REYNOLDS AND THE REST THEREIN AUTHORISED OF THE ONE PART AND COL. JOHN FITZPATRICK OF THE OTHER PART AS FOLLOWETH VIZ :—

"1. That pardon for life shall be assured to Col. Fitzpatrick aforesaid, and all others of his party, except such persons as had a hand or were actors in any murders, massacres or robberies, which were committed upon the English and Protestants in Ireland during the first year of the Rebellion, or any murders or massacres since the first year committed upon any person, not being in arms.

"2. That Col. Fitzpatrick shall have liberty to transport himself and his party and priests (except before excepted) into any the parts beyond the seas in amity with the Commonwealth of England, and that he shall have six months' time allowed for transporting them at the port of Waterford, and in the meantime to reside in the Parliament's quarters or elsewhere, free from violence or injury offered them by the Parliament's forces, they engaging not to do any hostile act in the Parliament's quarters.

"3. That if the transportation of Col. Fitzpatrick's party as aforesaid may be effected in a shorter time than six months, it shall be done accordingly, and if, for want of wind or shipping, the said transportation cannot be done within the said time of six months, a further time shall be allowed as by the Rt. Hon. the Commissioners of Parliament for the affairs of Ireland shall be judged necessary.

"4. That if any of Col. Fitzpatrick's party, to be by him transported as aforesaid, shall be found to be within the exceptions before given, advantage shall not be taken against them for the present, but liberty given them to return.

"5. That Col. Fitzpatrick or his party (except before excepted) shall not be subject to the suit of any person or persons for any act, by them or either of them, done since their being in arms.

"6. That Col. Fitzpatrick and his party shall, at the waterside where they shall be transported as aforesaid, lay down and deliver their arms to such as shall be appointed to receive them ; and that he the said Col. Fitzpatrick and his party shall have liberty to sell their horses for their best advantage to those of the Parliament's party and to none others; and that the said Col. Fitzpatrick shall, within twenty days from the date of these presents, give to the Commissary-General at Athlone, or to the officer there commanding in chief, a true list of the names and numbers of his party, who are to receive the benefit of these and the following concessions; and that thenceforth they do no hostile act to the prejudice of the Parliament's quarters or party.

"7. That the consideration of quarters for Col. Fitzpatrick's party, who are to be by him transported as aforesaid, be deferred until the time of his giving in the list of the names and numbers of his said party mentioned in the precedent article, at which time the said Col. Fitzpatrick shall deliver in the particulars of his present assignations, whereby a course for the subsistence of his said party, until the time of their transportation as aforesaid, may be taken into consideration to be in order to the place of their transportation, as shall be thought most convenient.

"8. That if Col. Fitzpatrick or any of his party (except before excepted) shall desire to live peaceably in Ireland they shall be admitted so to do, they submitting as all others to the payment of contribution and to all Ordinances of Parliament; provided that this shall not extend to give protection to priests, Jesuits, or others of the Popish clergy to live in the Parliament's quarters; provided also that this their desire be declared to the Commissary-General aforesaid within twenty days from the date of these presents, and the names of the said persons be delivered in writing, to whom protection if desired shall be given as is usual.

"9. That for performance of these Articles Col. Fitzpatrick shall deliver sufficient hostages to the Commissary-General at Athlone, or to the officer there commanding in chief, when the same shall be required by the said Commissary-General.

"10. That Col. Fitzpatrick shall not be answerable for any unjust act done by his father.

"11. That particular or personal actions of Col. Fitzpatrick's party, or any of them, contrary to the above Articles, or any of them, shall not extend further than to the persons so acting, Col. Fitzpatrick and the rest of his party, and every of them, using their utmost endeavours for bringing to justice the persons so acting.

"12. That if any doubt shall arise concerning the true intent and meaning of the premisses, or any part of them, it shall be left to the Commissary-General aforesaid to clear the sense, as occasion shall be offered.

"13. Lastly for performance of all and singular the premisses the parties hereunto have to these presents interchangeably set to their hands and seals the day and the year first above written. John Fitzpatrick.

"Signed, sealed and delivered in the presence of Hen. Owen,[1] W. Waller, Cyprian Grace, Jo. Coghlan.[2]" 7 March. ff. 18-20.

155 (iii). THE ADDITIONAL ARTICLE.

"In consideration of the Articles and conditions to be performed by Col. Fitzpatrick agreed upon at Streamstown in the County of Westmeath, and dated with these presents, we do promise to mediate effectually with the Rt. Hon. the Commissioners of Parliament of the Commonwealth of England for the affairs of Ireland, that he, the said Col. Fitzpatrick, shall enjoy his estate or the value thereof, and that, if the same be not thought fit to be granted to him as aforesaid, then, and in that case, he the said Col. Fitzpatrick shall be freed from the obligation in the said Articles at his election, he declaring his dissent to the Commissary-General at Athlone, or to the officer there commanding in chief, within ten days after intimation thereof given him. Witness our hands and seals this 7th day of March 1651[-2].

"In presence of us Hen. Owen, Jo. Coghlan, W. Waller, Cyprian Grace, John Reynolds, Hen. Jones,[3] Theo. Jones, Wm. Rives.[4]"

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[1] Major Henry Owen of Reynolds' regiment, Governor of Maryborough and a Coote-Broghill man.

[2] Col. John Coghlan of Streamstown, King's County. He died apparently abroad about 1660; but his son John recovered the estate.

[3] Dr Henry Jones, brother of Sir Theophilus and Col. Michael Jones. He served as a commissioner, along with seven other clergymen of the Church of England, to take evidence as to the robberies and murders committed at the beginning of the Rebellion, and was consecrated Bishop of Clogher in October 1645. But on the abolition of the Hierarchy he changed his mitre for a helmet and accepted the post of Scoutmaster-General to the Parliament's Army in Ireland. At the Restoration he was raised to the bishopric of Meath. But whether as bishop or scoutmaster he was consistent in his unrelenting hatred towards the Irish Catholics. See Life in *Dict. Natl. Biog.*

[4] Col. William Reeves.

"This I acknowledge to be a true copy as witness my hand. J. Fitzpatrick." 7 March. *Ib.* f. 21.

155 (iv). CONSIDERATIONS FOR A CONCLUSION WITH COL. FITZPATRICK AND FOR GRANTING HIM THEREUPON HIS ESTATE.

"1. That therein will be a weakening of the rebells' party, from whom so active a commander with considerable numbers of men may be withdrawn. Col. Fitzpatrick's last musters: His own regiment of foot, consisting of forty-six companies, 2234; Col. Maghir's[1] regiment, 900; Col. Walsh's [2] regiment, 700; Lord Clanmalier's [3] regiment, lately reduced into three companies, 400. Total 4934. Col. Fitzpatrick's regiment of horse 350. Total horse and foot 5284.

"2. That there will be some security to our quarters and designs in our next year's expedition; for, while our army (under his Excellency's command) was last before Limerick, we were often alarmed by this enemy (at distance), which occasioned the sending from that leaguer considerable parties against him, and the attending that enemy in that time was made the principal part of Col. Sankey's work, with considerable forces in that summer's service, yet even then did Col. Fitzpatrick surprise two of our garrisons—Rachra and Meelick—with divers other great annoyances to our quarters, and if this enemy were then so troublesome to our quarters (our Limerick army being so near him, and he attended upon constantly, or for the most part with a considerable part of ours at his heels) how dangerous may he be to our quarters in Munster and Leinster, when, in the next year's service, our army shall be for the most part drawn out of those two provinces further off into Connaught, where he may find opportunity and more advantages for annoying us; and if that may not be an occasion of some diversion to our designs in Connaught and elsewhere, yet may it be otherwise a prejudice in leaving (necessarily) a more than ordinary force to attend and divert this enemy.

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[1] This was, I think, John Meagher (as the name is now written) of Grange, co. Tipperary.

[2] Apparently Col. Walter Walsh or Brenagh. He did not come in with Fitzpatrick; but continued to hold out till 19 April 1652, when he surrendered on his own account to Sir H. Waller. See Articles in Gilbert, *Contemp. Hist.*, iii, p. 310.

[3] Lewis O'Dempsey, second Viscount Clanmalier, was the son of Anthony, heir-apparent of Sir Terence O'Dempsey, first Viscount, whom he predeceased in 1638, and Jane, daughter of Sir John Moore of Croghan Castle. According to his petition (*Cal. State Papers*, Irel., 1666, p. 43) he laboured to protect the distressed English on the outbreak of the Rebellion, was a constant adherent of the peaces of 1646 and 1648, and was for his opposition to Rinuccini excommunicated by him. All the same, being unable to clear himself of the charge of complicity in the Rebellion, he was condemned to the loss of his estate and imprisonment. At the Restoration he failed to take out a decree, and though judged innocent he was jostled out of his estate by Sir Henry Bennet, afterwards Earl of Arlington. His case attracted much attention, and the Earl of Roscommon made an energetic but fruitless appeal to the House of Lords to repair the injustice done him.

"3. As in the former consideration he is found to be a considerable enemy, so in this also, that, notwithstanding his being between two of our active commanders, Col. Sankey in Tipperary and Col. Axtell in Kilkenny, any many attempts having been by them made on him severally and sometimes together, yet have they little disadvantaged him, in regard of his quarters in bogs and woods and places almost inaccessible, whereby the work is made unto us the more troublesome.

"4. Col. Fitzpatrick's submission may be leading to the breaking of the Irish confederacy and to their insisting on national conditions, and may bring in others by submission to provide in time for their security, whereas our breaking off with him may discourage others and harden them in their rebellion.

"5. Herein Col. Fitzpatrick's party and others of the rebels may be brought (probably) to engage against each other.

"6. In this will Col. Fitzpatrick's party be taken off from acting against us, at least during the six months in the Articles limited, for which we shall have from him sufficient hostages, as is in those Articles provided, during which time of six months much of our work elsewhere may be (by the blessing of God) carried on to effect.

"7. It will be a considerable service to have such a party of the enemy (or many of them) to be transported out of Ireland, and this may be leading also to other officers in the Irish army to carry away their parties accordingly.

"8. The delivering up of so many arms (which will not be readily recruited by the Irish) and their putting their horses into our hands (as in those Articles) will be a considerable advantage to the service.

"9. That in the meantime the State is not at any loss in their concessions to Fitzpatrick, not parting with anything of disadvantage to their affairs, nor giving anything of which we can hinder that enemy; on the contrary, Fitzpatrick is actually bound not to prejudice our quarters by any hostile act, for performance whereof hostages are to be given us." *Ib.* ff. 26-7.

155 (v). CONSIDERATIONS CONCERNING QUARTERS TO BE GIVEN TO COL. FITZPATRICK.

"1. That it is impossible to keep their party together, to be transported beyond the seas, if not by such a way of subsistence, he not having yet contracted with a foreign State concerning it.

"2. That otherwise our advantages in that design before specified will be lost.

"3. That this will be no charge to the State it lying only on the quarters.

"4. That it will be no burden to the quarters more than formerly in their contributing to that party and not so much as before, if done in a more orderly way than formerly.

"5. The quarters will undergo that charge more willingly, it being only for a time limited, and they afterwards to be freed from that party.

"6. That in the quarters so assigned, we give but what is not in our power for the present to take from them." *Ib.* f. 28.

155 (vi). CONSIDERATIONS CONCERNING FITZPATRICK'S ESTATE.

"1. Whether consideration of the advantages to the State before specified, may not be valuable and more than equivalent to the granting Fitzpatrick's estate or the value of it to him?

"2. Fitzpatrick's estate was before the Rebellion not above £1000 *per annum* (others account it much under that value); it is also much engaged by mortgages and other encumbrances to some of our party, whereby it is become much less considerable to the State.

"3. The granting of Fitzpatrick's estate, or the value thereof unto him, will not be a prejudice to the State, as to the making it exemplary and leading unto others, who on like considerations of submission and service may insist upon and expect the like conditions; for this is in way of a private transaction with Fitzpatrick, which he will be careful to conceal, and to that end desired it to be omitted in that paper of Articles, which must have been by him necessarily imparted to others, lest he might be thought (by those of his party) to have insisted on conditions in that kind for himself only, and not for his party, who might thereupon break away from him.

"4. If it should be known and insisted upon by others, it may be conceived that, on like considerations as before specified, to give unto some few leading persons and considerable heads of parties in each province, as shall be found necessary, some part of their estates or the value thereof, as to Dungan, Scurlock etc. will be to the State's advantage, or no considerable disadvantage." *Ib.* ff. 28-9.

155 (vii). A LETTER TO THE COMMISSIONERS FROM ONE GERALD FITZGERALD [1] IN BEHALF OF AN ASSEMBLY OF THE IRISH AT GLENMALIER.[2]

"As the horrid mischiefs unavoidably accompanying all wars (though upon never so just grounds undertaken) are such, and so many and so recently experimented throughout this unfortunate kingdom, as no man can without horror think, much less dilate upon a theme so lamentably tragical, even so the manifold blessings derived from a firm and honourable peace, are so obvious to each understanding, as I may not presume to trouble men of so great judgment, as you are, with any comment thereupon. Therefore to proceed briefly to the purpose:—Be pleased to understand that the kingdom is advertised from all parts of a free and noble disposition in the Commonwealth of England to grant honourable and [blank] conditions of peace unto this people and nation, to the acceptance whereof I dare assure you of their willing and real inclinations. In order whereunto I do, in this and other the provinces' behalf, request your safe conducts unto each province, with blanks to meet, elect, and authorise members of the said respective provinces to meet with the members so to be elected by other the provinces, at some convenient place within this province, and thence to authorise commissioners to present proposals to such as are or shall be thereunto authorised by the Commonwealth of England, and conclude on such transactions as shall be agreed upon, (your garrisons in each province being so obstructive as the members may not with safety come together to the aforesaid purpose) unanimity in this kind amongst the provinces being much more conducible to a general quiet, than the particular address of any province apart. This I hope and expect will produce that so much and so passionately desired a settlement, which ought to be the prayer and wishes of all honest and well-affected persons. Sir Richard Barnewall Bart. and Col. Walter Bagenall are authorised and employed by the assembly of this province to solicit the contents hereof, to whom I shall request you will be pleased to give full credit in what they shall offer in that particular and other matters, it being the sense of this province I should signify so much unto you, to which subscribes Sir, Your most humble servant Gerald Fitzgerald. Garrench, 20 February 1651[-2]."[1] *Ib.* ff. 21-2.

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[1] Gerald Fitzgerald, called Gerald Oge Fitzgerald of Timogue, Queen's County, was the son of Gerald, a natural son of Gerald, eleventh Earl of Kildare. He was an active member of the Confederation. The estate which he forfeited for his share in the Rebellion was at the Restoration conferred on his relation Robert Fitzgerald, grandfather of James, Duke of Leinster.

[2] Viz. at Garryhinch.

155 (viii). THE LIEUTENANT-GENERAL'S LETTER IN ANSWER TO A LETTER [MISSING] SIGNED RICHARD BLAKE.

"In yours of the 9th inst. which came to my hand the 17th (signed by command of the Great Council at Galway assembled, as you are pleased to style them, whose authority I may not acknowledge) you reiterate in effect the former application from the Earl of Clanricarde for the settlement of this nation, differing only in this, that, whereas he would have capitulated in that affair on the place, you propose for licence to be given unto Commissioners to repair to the Parliament of England about the same, which hath been occasioned through this mistake (as I conceive) you apprehending that denial to proceed merely from the want of power in the ministers of the Parliament here, whereas indeed the chief ground thereof was the unreasonableness of the proposition itself, which was, in my judgment, in effect thus, that such (who are guilty of a bloody and cruel massacre, at least engaged in the withholding of them from justice who are so, whom the righteous hand of God hath prosecuted from field to field, from city to city even to the gates of Galway) should be admitted to capitulate about the settlement of this nation with the Parliament of England (their lawful magistrate) whom God hath not only permitted to be raised to their present height as you term it, but by his own outstretched arm and glorious presence hath enabled to become a terror to evildoers, and an encouragement to them that do well, and this capitulation to be before they have either owned their guilt, or delivered up those Achans to justice for whose iniquity the land mourns. Indeed if once the Lord would truly humble you under his omnipotent hand, for your raising and fomenting this unnatural quarrel between two nations of late linked in love, allied in blood, and not different in laws (as yourselves confess), and would incline you timely and readily to submit to their authority (as the greatest part of the nation have already done) I should then hope that deliverance were drawing nigh (at least) to a remnant of those amongst you, who yet continue in disobedience, and that such of you might be capable of the fruits of that settlement which (at this time) the Parliament of England is intent upon. But while you insist upon the justice of your cause and persevere in your hostility, it's not the advantages we may partake of by a settlement, nor the uncertainty of a tedious war, proved by experience of former ages, or backed by a number of people in arms capable of foreign succours, nor fear of having this country rendered useless unto us, that ought to deter us from doing our duty, or invite us to this sinful or unworthy compliance with you. As touching the cessation you propose, for the avoiding the further effusion of Christian blood, I could wish that this tenderness had (in the beginning) possessed your spirits ; but how such a cessation can be satisfactory to the Parliament of England appears not to me, seeing they have been at so vast a charge in their preparations for the putting a speedy issue to this war, which by the Lord's assistance shall be heartily prosecuted by your servant Ed. Ludlow. Dublin." 19 March. *Ib.* ff. 24-5.

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[1] The answer of the Commissioners to these Proposals is printed in Ludlow's *Memoirs*, App. IV, i, p. 507-508, dated 12 March.

156. THE COMMISSIONERS TO THE COUNCIL OF STATE.

"We have often minded your Lordships of the state of your Revenue, and the monthly charge of your forces within the Precinct of Dublin, and what monthly supplies would be needful for the payment of your forces in this precinct, which was for the months of June, July, August and September £2000 *per mensem*, and for the succeeding months £2500 *per mensem*, and in most of our despatches we acquainted your Lordships with the necessity of having that supply constantly made good here, and that therefore we would order Bills of Exchange to be drawn from time to time upon the Treasurers-at-War for the same, unless your Lordships signified your pleasure to the contrary, and having received no intimation of your Lordships' disapprobation of that course, we have (as often as we were pressed unto it by necessity) prosecuted the way we propounded, which the former Treasurers duly answered; but Capt. Blackwell,[1] since the change of the Treasurers, not only refused payment of those Bills, which we charged on him for the pay of your forces here (being within the compass of our advices to your Lordships) but hath likewise prohibited the agent here for obeying our Order in drawing those Bills upon them. . . ." 22 March. *Ib.* f. 34.

157. SAME TO THE PARLIAMENT.

"The diligence and activity of your officers and soldiers this last winter hath been such that the enemy thereby hath been much straitened in all parts of this nation, and reduced to a low condition at present, many of them have been put to the sword and they are generally disenabled from being so destructive to your quarters as formerly. Of late many applications have been made by the Irish . . . to submit . . . amongst whom Col. Fitzpatrick . . . There hath also been applications . . . for a national treaty . . . but of all these, and the answers thereto, we have given particular account to the Council of State."[2] 22 March. *Ib.* f. 37.

158. SAME TO THE LORD DEPUTY, LAMBERT.[3]

"We having received lately advertisement that the Parliament have appointed your Lordship Deputy-General, and to command their forces in Ireland, and that your Lordship hath accepted of that employment, we cannot but, in duty to their service and respect to yourself, give you a short account of the present state of affairs. Your forces here are in very good condition and posture, and unanimous in the prosecuting of the war, which, through the presence of God with them, may be speedily brought to a good issue. The spirits of the enemy seem at present to be much dejected through their hopelessness to stand long on their own bottom, or to receive relief from foreign parts, which hath occasioned several of their officers and parties to lay down their arms, and submit freely without any capitulation, and many of the rest have offered to come in upon conditions, amongst which Col. John Fitzpatrick, one of the chief of their party (who gave of (*sic*) 5082 men, horse and foot, and did possess places of great fastness in the Province of Leinster and Munster) hath the last week submitted upon Articles agreed on by the Commissioners appointed to treat with him. This party under his command was an occasion the last year of great interruption to the siege at Limerick and opposition of other forces who attended their motions, and probably they might have continued so this next summer had they not in this manner been taken off. Some applications have been made by the Lord of Clanricarde and others, to whom answers have been returned, copies of which proceedings we send your Lordship enclosed for your better information. We have formerly made known to the Council, and Committee of Irish Affairs the recruits, monies, and other provisions, which at a Council of your officers have been judged necessary to carry on affairs here, which we humbly desire your Lordship to move for, and take care that they may be effectually speeded over before your Lordship leaves England; otherwise we fear many of them may not come so timely as to do that service to which they are intended; and that your Lordship will be pleased to improve your interest, to procure a settlement of a constant monthly supply of monies for the pay of your forces here, according to the estimate sent by us to the Council in our letter of 20th February last and remaining (we suppose) with the Committee of Irish Affairs. But since that estimate some entire troops and companies are already come over, and there are many more appointed (as we hear) to come over; and, if it be not too late to move them, we are humbly of opinion that there is more need of foot than horse to carry on the service here, and it would much lessen the charge if they could come over as recruits rather than in entire troops or companies. But of these and other particulars worthy of your Lordship's notice we shall be ready to give your Lordship a further account when we shall have the happiness to meet your Lordship here." 22 March. *Ib.* ff. 38-9.

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[1] John Blackwell junr. of Mortlake, Surrey, Deputy to the Treasurers-at-War. See below, p. 358.

[2] This letter is printed in full in Ludlow's *Memoirs*. Ed Firth, i, App. IV, p. 510.

[3] Lambert was appointed Lord Deputy to Cromwell by Parliament on 30 January 1652 in succession to Ireton; but the Lord-Lieutenancy being shortly afterwards abolished, and with it of course the office of Lord Deputy, Lambert refused to accept the post with the lower title of Lieutenant-General, whereupon Fleetwood was appointed in his place. See Life in *Dict. Natl. Biog.*

159. Ordered by the Commissioners that, whereas very many businesses lie before the Commissioners of Parliament, that they cannot read and answer all petitions coming before them, Sir Robert King, Col. Hewson, Mr Attorney,[1] and Col. Henry Markham [2] or any two or more of them be desired to sit with some one or more of the said Commissioners, upon Tuesdays and Thursdays in the afternoon, weekly, to hear and answer petitions. 24 March. Orders A/82. 42. f. 171.

160. Ordered by the Same that, whereas it is the practice of soldiers, sent over by the Parliament for their service in Ireland, to desert their colonels and to ship themselves abroad in great numbers, a stop be put to the transporting of soldiers and other persons out of Ireland beyond the seas without proper passes. 25 March. *Ib.* f. 174.

161. THE COMMISSIONERS TO THE COMMISSIONERS AT BELFAST.

" . . . As for the troop of dragoons sent out of Scotland, if you find yourselves unable to maintain them, we desire they may be sent up to Athlone, or a company of 100 foot instead of them, and we shall take care they be provided for. We have likewise perused the Earl of Antrim's petition, and are content he may enjoy the tithes mentioned in your letter, as they were let the last year, provided he gives sufficient security to answer the same to the Commonwealth, and withal that, in consideration of the benefit he shall make thereby, he gives a full discharge of what is in arrear to him of the allowance assigned him by the late Deputy and ourselves at Kilkenny." 6 April. *Ib.* f. 45.

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[1] William Basill of Donnacarney, near Dublin, was the nephew of Martin Basill of Drumboe, co. Donegal, to whose estate he succeeded on the death of his cousin Anne. He was appointed Attorney-General of Ireland in July 1649. He married Mary, daughter of Sir Wm. Caulfeild, and died in Nov. 1693. *Cf.* Lodge, ***Peerage***. Ed. Archdall, iii, p. 138.

[2] Markham's office was that of inspector, along with Col. Thomas Herbert, of precincts. He obtained a grant of the town and lands of Confy, co. Kildare, and being a Coote-Broghill man he was allowed to retain possession of them.

162. SAME TO SIR CHARLES COOTE.

"Your Lordship's letter from Terrilan[1] the 6th inst. was delivered to us by Col. Cole[2] at seven this evening, and we, finding it to be a matter of very great concernment, we have imparted the same to sundry officers of the army now present with us, and after consultation and debate had thereupon, we could not satisfy ourselves to concur to the confirmation thereof,[3] as now they stand, and therefore, by the advice of the said officers, have made such resolutions and alterations therein, as are mentioned in the enclosed, which we commend unto your Lordship's care to communicate to the inhabitants of Galway, and to let them know, that in duty and honour to the Parliament, we cannot consent unto the Articles[4]

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[1] Terrilan or Tyrellan, near the town of Galway, a seat of the Earl of Clanricarde, fell to the lot of Sir C. Coote, but was restored by him at the Restoration. It was thither Coote inveigled Col. Sadler in 1659, while he made himself master of Galway. See the story in Prendergast's *Ireland from the Restoration*, p. 5, and *cf.* Ludlow's *Memoirs*, ii, p. 187.

[2] Col. John Cole.

[3] *Cf.* Ludlow's *Memoirs*, i, p. 307-308.

[4] Articles of agreement made, concluded and agreed upon by and between Col. John Cole, Col. Robt. Russell, Lt.-Col. John Puckle, Major John King, Major Alex. Brayfield, Adjut.-Genl. Holcroft and Capt. Oliver St George, commissioners appointed by the Rt. Hon. Sir C. Coote Kt. and Bart., Lord President of Connaught on the behalf of the Parliament of the Commonwealth of England of the one part and Sir Robuck Lynch Bart., Sir Valentine Blake Kt. and Bart., Sir Richard Blake Kt., Sir Oliver French Kt., John Blake Esq., Arthur Lynch Esq., one of the sheriffs of Galway, Thomas Lynch and Dominick Blake of Galway, burgesses, for and on the behalf of themselves and the Mayor, sheriffs, burgesses and commonalty of Galway, and of the freemen, natives, inhabitants and residents thereof of the other part; bearing date the 5th day of April 1652, concerning the rendition and surrender of the town of Galway as followeth :—

1. Imprimis. It is concluded, accorded and agreed by and between the said parties that the town of Galway, the forts, fortifications, artilleries, magazines, ammunition, and all other furniture of war thereunto belonging, shall be delivered unto Sir C. Coote Kt. and Bart. Lord President of Connaught, or whom he shall appoint, for the use of the Commonwealth of England by or upon the 12th inst. at ten of the clock in the morning, in consideration of the Articles hereafter specified.

2. It is concluded and agreed upon by and between the said parties that in consideration of the said surrender all persons of what degree or quality soever within the said town shall have quarter for their lives, and liberty of their persons, without any pillage, plunder, or military violence to their persons or goods during their obedience to the laws and government of the Parliament of the Commonweatlh of England by virtue of the ensuing Articles respectively; and these Articles to extend to all such as are free of the said town of Galway, their wives, widows, factors and tenants in the country or beyond the seas, provided that by freemen it be understood only the native merchants, inhabitants and tradesmen of the said town and not Lords, or any other persons who have not attained their freedom by merit or undergone public offices in the said corporation.

3. It is concluded and agreed upon by and between the said parties, that all

made with them and the soldiery, otherwise than with the said alterations, and in case they shall not agree thereto, if your Lordship be free, we cannot but advise your Lordship to desist in any further proceeding therein; but if they shall consent to these alterations, your Lordship having thus far proceeded with them, we shall then give our consent unto the said Articles with the said alterations." 10 April. *Ib.* f. 46. *Enclosed.*

persons of what quality soever comprehended within the second Article shall have six months' time to depart (if they desire it) with their goods to any part of this nation, or beyond seas, and that they shall have effectual passes for themselves and their goods, and shall be protected in the meantime, and have liberty to sell their estates and goods, provided that ammunition and all arms (save travelling arms which they may carry with them) and other furniture of war be not included in this Article.

4. It is concluded and agreed upon by and between the said parties, that the clergymen now in Galway shall have liberty to continue there six months after the conclusion of this Treaty, and shall have effectual passes (when they desire it within that time) for themselves and the goods properly belonging to them, to go beyond seas, provided that during that time they act nothing prejudicial to the State of England, and likewise that the names of all such clergymen shall be made known to the Lord President before the surrender of the said town; and that all manner of persons of what quality soever, according to the exposition of the second Article shall have indemnity for all past offences, criminal and capital acts and offences done in the prosecution of this war from the 23rd of Oct. 1641 until the conclusion of this Treaty, except Brian Roe, Mahon More, Stephen Lynch, Dominic Kerwan, and Walter Martin, who had their hands immediately in the effusion of the blood of Capt. Clerke's men, and such other person or persons as shall be hereafter found by good proofs to have had their immediate hands in any particular murder of the English or Protestant people before the corporation entered into acts of hostility (first) in this war, which was on the 19th of March 1641[-2]; and that all such persons (excepting before excepted) that for the future shall submit to the government of the Parliament of the Commonwealth of England shall be admitted to do, and to live at their homes, or with their friends, and shall have protection during their obedience to the said government to their persons, goods and estates, on the same terms that the rest of the inhabitants of the county of the same condition and qualifications with themselves have, so as the benefit of the protection last mentioned in the Article shall not extend to clergymen further than six months as before mentioned.

5. It is concluded and agreed upon by and between the said parties that all persons whatsoever included in the second Article, who are willing to submit to the government of the Parliament of the Commonwealth of England (except before excepted in the 4th Article) shall enjoy their respective estates and interests to themselves and their heirs for ever, in all and every the houses, castles, lands, tenements and hereditaments within the said town and the old and new liberties and franchises thereof, so far as the power of the sheriffs of Galway extends, and the burgage lands belonging to the said town without any exemption, diminution, mark of distinction, or removal of persons, or families whatsoever, unless it be upon just grounds, and good proofs of their future misdemeanour, which may endanger the security of the said town, and in that case such persons to be removed and yet to be at liberty to carry away their goods, and to let or sell their houses and estates, to their best advantage, paying (in case of sale) a third part of the price they make to the use of the State of England; and that no contribution or other imposition be charged upon the said town, or any of the natives, or inhabitants thereof, but in proportion with other the subjects of the said State residing in cities, or towns in England or Ireland, according to their respective fortunes and interests;

162 (i). BY THE COMMISSIONERS OF THE PARLIAMENT.

Upon serious consideration taken of the Articles agreed upon for the surrender of Galway and advice thereupon had at a Council of War. It is resolved as followeth :—

"1. That we cannot consent that any persons who were actors or had a hand in the murders, massacres, and robberies committed upon the English or Protestants in Ireland in the first year of the Rebellion, or in any other murders or massacres since the said first year committed, by or upon any person not being in arms, should have any benefit by the Articles for the surrender of Galway, other than for their marching out of the town to such place as is or shall be agreed upon.

and that they and every of them shall quietly enjoy two parts of all their real estates, in three parts to be divided, to themselves and their heirs for ever in all other parts whatsoever within this Dominion not before expressed in this Article, paying contribution thereout in proportion with their neighbours under the laws, obedience, and government of the Parliament; and in case any part of their said real estates shall happen to be contiguous to any considerable castle, fortification, or straigth within this Dominion conceived to be necessary for any particular plantation, that then such person or persons (proprietors of the same) shall be satisfied and paid (in case there be castles and houses upon the lands so taken from them) the full value of such castles and houses according as indifferent men mutually named by the proprietors and such as shall entrusted by the State shall agree upon; and upon any difference between them, an umpire shall be named by both parties to determine the same, or the proprietors to be satisfied in other castles and houses of equal value and goodness with their own, and shall have exchange of lands, tenements, and hereditaments of like quantity and value with the lands, tenements, and hereditaments so taken from them as aforesaid; and both the castles, houses, lands, tenements and hereditaments to be in such county where the said castles, houses, lands, tenements and hereditaments so taken from them lie unless the said county be entirely set apart for a plantation, and then the above satisfaction shall be given to them in the next adjacent county within the said province, that shall not be so entirely planted as aforesaid; and that upon surrender of the said town, they and every of them shall and may enter into and enjoy the possessions of their real estates (notwithstanding any custodiam or leases granted of them) and continue in possession of them, until some persons be appointed by the Parliament or their ministers to dispose of one-third part thereof for the use of the Parliament, as is agreed in the preceding Articles; and that they and every of them shall enjoy freely all their goods and chattels, real and personal, wheresoever the same shall be (all arms, ammunition and other furniture of war, travelling arms, excepted) to themselves, their executors and assigns; and for the difference which did arise between the said parties concerning the composition of £5000 demanded and insisted upon, in consideration of the third part of the said goods and chattels, the same is referred by consent of both parties to the Commissioners or other chief ministers of the Parliament in this Dominion, to whom the said town are to make their application for remittal or mitigation of the said composition, or otherwise the said £5000 to be paid to the use of the State of England.

6. It is concluded and agreed upon by and between the said parties that the Mayor, sheriffs, burgesses and commonalty of the said town, and their successors, shall have and enjoy all liberties, customs, privileges and immunities granted to them by charter, and shall hereafter be governed by their charter privileges and fundamental laws of England, as in time of peace, until the Parliament

"2. We cannot consent that such inhabitants and citizens in Galway, who shall be thought fit, by the Parliament or their ministers, to be removed out of the said town of Galway, in order to the security thereof, shall be permitted to enjoy their estates and interests in the town, otherwise than was offered by the late Lord Deputy to the City of Limerick, that is to say, that no Irish inhabitant or citizen of Galway be permitted to enjoy their interests in the houses or other real estate in that town, who shall be thought fit, by the Parliament or their ministers, to be removed out of the said garrison in order to the security thereof; but in such case, such persons, so to be removed, shall have liberty to sell their said houses and other estate to the best advantage of themselves, their heirs, or assigns, paying (in case of sale) a third part of the price they make, to the use of the Common-

or their ministers appointed to that purpose shall confirm, renew, alter or enlarge the same; and that they shall have full liberty to trade at home and abroad as other English subjects have; and that all prisoners being natives or inhabitants of the said town, and soldiers of the garrison of Galway and Isles of Aran in pay, shall be set at liberty without ransom; and if it shall happen after this agreement any person or persons included in these Articles, or any ship, goods, or merchandise, belonging to them or any of them be taken by sea or land, coming to the said town, or going from it, shall be set at liberty and their goods and merchandise shall be restored to them as aforesaid, provided they act nothing prejudicial to the State and that all ships belonging to any person or persons franchised by them or any of them shall remain to the disposal of the owner, except such ships as by any former Articles are agreed upon to the contrary; and that the disbursements of those, who canted the houses of absentees, shall be secured unto them for the time past, only so far as law and the customs and privileges of the town-charter will justify the same.

7. It is concluded and agreed upon by and between the said parties that in case of breach of these Articles, or any of them, the same shall not be deemed or construed, but the act of such person or persons as shall be found to be actors thereof, and they only to be proceeded against as the law prescribes.

It is concluded and agreed upon by and between the said parties that the Lord President shall procure these Articles and all and every particular in them contained and depending on them, within twenty days to be ratified, approved and confirmed by the Commissioners-General or other chief ministers of the Parliament in Ireland; and likewise that the Lord President shall, with as much speed as may be, promise these Articles to be secured by an Act of Parliament to be passed for that purpose in England; and in the meantime shall be as inviolably observed and kept to them as if they were enacted in Parliament.

It is concluded and agreed upon by and between the said parties, that Sir Valentine Blake, Sir Oliver French, John Blake Esq and Dominick Blake be this day delivered as hostages, and the New Castle over against Tyrriland, and the fort in Mutton Island, to be surrendered to-morrow by twelve of the clock to the Lord President, or whom he shall appoint for the performance of the surrender.

In witness whereof the said parties to these presents have interchangeably set their hands the day and year above written Robuck Lynch, Robt. Russell, Valentine Blake, John King, Oliver French, Alex. Brayfield, Thomas Lynch, Oliver St George, John Blake, John Cole, Arthur Lynch, John Puckle, Dominick Blake, Charles Holcroft. Articles of Capitulation etc. ff. 119-123.

wealth, and shall have three months' time (after warning given them to depart) for the removal and disposal of themselves, their families and goods, as they shall please, and protection to live in any part of this dominion within the power of the Parliament not being a garrison, nor county set apart to be planted with English, or shall have liberty to remove to any foreign parts if they desire it.

"3. That we cannot consent that tenants or factors in the country or beyond the seas should be included by these Articles, as the words in the second article do import.

"4. As to that clause in the Articles, which relates to the real estates lying without the town and the liberties thereof, belonging to the freemen of Galway, we cannot consent any further therein than that they do enjoy two parts in three of the same, or the value thereof as the Parliament shall direct.

"5. We cannot consent that any absentees, who have adhered to the Parliament, should have their houses detained from them by virtue of the latter part of the sixth article.

"6. We cannot consent that the Governor, soldiers and inhabitants of the Isle of Aran should have any other conditions as to their real estates, than such as are granted to the freemen of Galway for their lands lying in the country.

"7. We do consent that the exceptions of those that had a hand in the murder of Captain Clarke's men,[1] should extend not further than to those persons that are named in the said exceptions, and those that had an immediate hand in that murder, or gave order or command for the murdering of them, and not to extend to such as only gave order or consented unto the seizure of the said ship.

"8. That if they shall consent to these resolutions we shall then give our consent to the Articles with the said alterations." 11 April. *Ib.* ff. 47-8.

163. SAME TO THE COUNCIL OF STATE.

"The Articles for the surrender of Galway coming to our hands late last night, and finding that some things in them may admit a hard construction, in order to the security of that place, and the honour and justice of the nation, we conceive it our duty to transmit them to your Lordships with all possible speed, together with an account of what we have advised in that matter. Being informed upon the late Lord Deputy's death that the Articles tendered by his Lordship for the surrender of Galway were not communicated to the citizens and townsmen, and that, if those terms were tendered unto them, it were probable the town would be surrendered, whereupon by our letters and instructions dated 3rd December last, we gave Sir Charles Coote advice to proceed in a treaty upon the said Articles; but limited him in time to the 10th of January; since which time Sir Charles Coote, by letters of the 10th of March, intimated that the town intended to come to a treaty, and that he conceived the Articles best to the first article and that he would do nothing therein without advice with Sir Hardress Waller or Commissary-General Reynolds, upon which the Lieutenant-General advised him that the condition of your affairs both in England, Scotland and Ireland were (through the blessing of God) much better than when those Articles were first tendered, and that large supplies of men and all other necessary provision were made by your Lordships to enable your forces to block them up close, and therefore the inhabitants could not in reason expect such terms.

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[1] The "murder" referred to took place in May 1642. It was really a small affair, as appears from Clanricarde's *Memoirs*, p. 146. "Some young men," he says, "of Galway surprized an English ship, killed two and hurt others, and took some ordnance and barrels of powder . . . upon pretence that their goods and some young merchants of the town were detained in England." See also *Cal. State Papers*, Irel., 1664, p. 410.

"Since which we had no advertisement of any particulars of those transactions until we received these Articles; and finding by them that the terms therein granted were to be approved of by us, which we conceive implies a submitting of them to our judgment, we have the last night passed the enclosed resolutions, and sent them speedily with a letter of advice to Sir Charles Coote, which we hope will be with him to-morrow morning; but in regard the soldiers are already marched out of the town, and the fort, and Mutton Island, which commands the harbour, being delivered to your forces, and the conditions on their part in a great measure performed, we thought it not advisable in honour and justice to make any further alterations or diminutions of the terms granted, although they be larger than we can in our judgment approve of. We have humbly made bold to give your Lordships this account of the particulars of that transaction, lest we might suffer in the Parliament's or your Lordships' opinion, as consenting to the granting of such terms as might present us remiss of the honour and service of the Parliament; and we cannot but judge that Sir Charles Coote, in what he did herein, did act very faithfully, and conceived what he consented unto was for your service.

"We have enclosed sent your Lordships the Articles for surrender of Roscommon.[1] The Commissary-General is gone to Ballintobber,[2] which was fired upon his coming, and from thence to Jamestown, which place he hopes to reduce to your possession very suddenly. We have also transmitted herewith the papers of agreement between your ministers here and Col. Fitzpatrick and Col. O'Dwyer,[3] upon their and their parties laying down of arms, which agreements have wrought good effects amongst the Irish by dividing and distracting them in their designs." 11 April. *Ib.* ff. 49-50.

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[1] Articles of Agreement between Lt.-Col. Francis Gore and Major John Disbrow on the behalf of the Rt. Hon. Commissary-Genl. Reynolds on the one part and Captain Edmund Daly on the other part. Concluded April 3rd, 1652.

1. That the Castle of Roscommon now under the command of Capt. Ed. Daly shall be surrendered unto Commissary-Genl. Reynolds, or to any other whom he shall appoint, by five of the clock in the afternoon.

2. That all stores of ammunition and provision shall be delivered unto Commissary-Genl. Reynolds or unto any other whom he shall appoint without embezzlement.

3. That Capt. Daly, Capt. Dennis Meed, and their officers shall have their horses, pistols, and swords; the soldiers their swords and skeans, and two servants belonging to the said Captain their horses and arms.

4. They are to have liberty for the space of twenty-eight days to carry such goods as are properly their own, unto such places as they shall think convenient, and enjoy their crops now in the ground, provided they come under protection, and pay their proportions of contributions: their chaplain and chirurgeon have liberty to go with them.

5. That such goods as do belong unto Col. Richard Burke, except store of ammunition and provision, shall be disposed of by the said Captain and conveyed to such places as they shall think fit, and such corn, as belongs unto the foresaid Colonel, shall be preserved for his use to make sale thereof to the Parliament's party, provided he come under protection, within twenty-eight days after the date hereof.

6. That the said Capt. Daly have liberty to make use of the barn within the bawn to lay in his goods for the time above mentioned, and his wife Ellis Vrine *alias* Daly is to be freed from any debts until there be a settlement.

7. That Ensign John M'Cooge now in restraint with O'Connor Roe shall have his enlargement, provided the Commissary-General consent thereto, and shall enjoy his crop now in ground, provided he come under protection and pay his proportion of contribution.

For the due performance of the above-mentioned Articles I have hereto set my hand, the day and year above written. Edmond Daly. Articles of Capitulation. f. 54.

[2] In co. Roscommon, between Longford and Strokestown.

[3] Col. Philip O'Dwyer, Commander-in-Chief of the Irish forces in Waterford and Tipperary, was the first to follow Fitzpatrick's example. For Articles between him and Col. Sankey on 23 March 1652 see Gilbert's *Contemp. Hist. of Affairs*, iii, 294; *cf.* also Ludlow's *Memoirs*, i, p. 311.

164. Same to the Parliament.

"Upon the 10th inst., at seven in the evening, Sir Charles Coote's letter, concerning the treaty with those of Galway, was brought unto us, a copy whereof, and of the Articles therein mentioned for the citizens and also for the soldiery is here enclosed; and, upon the perusal thereof, finding the great concernment of those Articles unto your interest, we sent for such officers of the army, as were here in this place, to consult with them what answer were fit to return. The result of that debate, and of the answer, we do likewise send herewith, which about two of the clock in the morning we sent away. We shall only add that upon the death of the Lord Deputy, hearing that his Lordship in his life had offered to them of Galway the Articles he had proposed to Limerick at his first coming to that place, but had not sent the Articles themselves, we did write to Sir Charles Coote, by ours of the 3rd December, to treat with them according to those Articles proposed by the late Lord Deputy, and did send him a copy of those Articles, and did limit that treaty to continue no longer than the 10th of January following; but that proffer was not accepted. Upon the 11th of March last, we received a letter from Sir Charles Coote, signifying that he had received a message from the Mayor of Galway, and that he did expect proposals from them upon Tuesday following, and therein expressed that he would act nothing therein, without the advice of the Major-General or Commissary-General, or both, if the business required such haste as our directions could not be received. By all this, we do hope it will appear that no act done by us hath given any ground to those concessions now given to those of Galway. This week we do purpose to remove to Kilkenny, and there expect to meet with your servants and officers of the army about the disposal of the provisions that, by your care, hath been sent us. The consultations there taken for the disposal of your forces in the several parts of this nation, for this next summer's service shall with the first opportunity be presented to you." 12 April. *Ib.* f. 51.

165. Same to the Parliament.

"The Lord is pleased sometimes to mingle the many great successes he gives your forces, against a cruel and barbarous enemy, with bitter dispensations, thereby to mind us how frail and weak we are of ourselves, and how necessary it is for us to have our dependence on him for strength and protection, when the arm of flesh seems to be strong and the power of the enemy weak and inconsiderable. Col. George Cooke,[1] coming from Wexford to Dublin, with a small convoy of twenty horse, met Captain Nash,[2] a very active enemy, and his troop, and engaged with him; wherein the Captain, a lieutenant and a trooper of the enemy's party were slain and the rest put to flight; in which engagement Col. Cooke received a shot with a brace of bullets, whereof he immediately died, there being two or three others of his party wounded. This happened between Gorin [Gowran] and Loughlin [Leighlin] in the County of Kilkenny[3] on the 1st of this inst. April. His body is brought to Carlow and there interred. The merit of the gentleman was very great in his zeal to God, and your service, and in his activity and valour against the common enemy, in which he hath been sundry times successful. His wife, being with child here, is so far overcome with grief and sadness, that her recovery is much doubted by her friends. He left behind him two children by a former wife, and towards the maintenance and support of his said wife and children hath left but a very small estate (as we are informed) other than his expectation from the Parliament, for the arrears due to him for service here and in England, which is conceived to be very considerable, which we humbly mention that the Parliament may be pleased to take consideration of them, and appoint such provision to be made for them as God shall put into their hearts." 13 April. *Ib.* f. 55.

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[1] See p. 9, note.

[2] Capt. Nash, Naish or Nasse was one of the most active of the Irish officers in Leinster, especially in co. Kilkenny. According to the author of *The Aphorismical Discovery*, "at his fall the flower of chivalry in the county of Kilkenny did crack." *Contemp. Hist. of Affairs*, iii, p. 71. *Cf.* Borlase, *Rebellion*, p. 294.

[3] At Carrignabrocke according to the *Contemp. Hist.*, iii, p. 71. Carrignabrack is near Paulstown.

166. SAME TO MR WINTER'S[1] CHURCH IN ENGLAND.

"Christian friends, The good hand of God having brought Mr Winter (your sometimes pastor) into this island, where he hath received a great seal of his ministry (besides the gathering into church fellowship a body of visible saints) and though his return to you this summer (at least for a season for your refreshment in spirit) may be expected by you, as we understand by him it is, and his desires as great of seeing your faces and beholding your order, yet the great work that lies upon his shoulders in this populous city, where able ministers are very scarce, and the great importunities of the flock (so lately gathered) that he will not yet leave them, hath caused us earnestly to desire his continuance in this place until the next year, when (through God's leave and good pleasure) he may make a journey to you. In the meantime, as we hope your due consideration of the great service the Lord hath for his labourers (who are but few) to do in his vineyard here, will in some measure quiet your minds, so we believe you doubt not but Mr Winter hath you often in remembrance before the Throne of Grace, that the Lord will supply all your wants through his Son, and instruct you by his Spirit in all wisdom and understanding, which also are the prayers of your assured loving and Christian friends in the Lord Jesus." 13 April. *Ib.* f. 56.

167. SAME TO THE COUNCIL.

"Since the closing of the last packet the Articles and letters enclosed (for the surrender of Jamestown,[2]

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[1] Dr Samuel Winter, independent minister at Cottingham near Hull, was granted leave of absence by his congregation to assist in settling the religious affairs of Ireland. Coming over with the commissioners in 1651 he was appointed minister of St Nicholas at a salary of £200. A leading elder of his congregation was Alderman Daniel Hutchinson, whose name frequently occurs in this correspondence. Winter was a great admirer of Henry Cromwell and got up a testimonial expressing approval of his government. He was appointed Provost of Trinity College, Dublin, in 1651, but was removed on the eve of the Restoration and apparently returned to his charge in England. He died in Dec. 1666. See Life in *Dict. Natl. Biog.* and *The Register of Provost Winter*, published by the Parish Register Society of Dublin.

[2] In co. Leitrim, near Carrick-on-Shannon.

Articles of agreement between Commissary-General Reynolds and Col. John Kelly, concluded on April 7th, 1652.

1. That Jamestown be surrendered by three of the clock in the afternoon, with all the stores of ammunition and public stores of provision.

2. That the Governor, officers, and soldiers shall have quarter of life, liberty

Drumrusk[1] and other places to your possession, and for several commanders and forces of the enemy's parties laying down of arms) are come to our hands, by which it will appear to your Lordships how necessary a signification of your pleasure, touching transportation of Irish, would be to your servants and ministers, and how well the character of the Parliament's

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to depart the town with their arms, colours flying, bullets in boss (bouche), one barrel of powder, match and bullet proportionable and six days' provision, bag and baggage, with a safe convoy to any place desired.

3. That such of the inhabitants as desire to stay shall have protection, enjoy all their goods and corn in ground, paying contribution according to their estates, and those who will remove shall have six weeks' time to remove their goods.

4. That Col. John Kelly, and such of his friends, as shall submit to the State, at or before the last of this month, shall enjoy their estates in land, goods and chattels as freely as others of their condition upon a general settlement, and that such officers, soldiers, and others as desire the protection of the State, shall be admitted thereunto, provided they lay down arms before the end of this month; provided also they are not guilty of the massacres and robberies committed upon the English in the first year of the war, nor under protection, nor served the Parliament in their armies since the 11th August 1649.

5. That the said Col. John Kelly shall have licence any time for four months, ensuing the date hereof, to depart this nation, if he shall desire the same, and in the meantime four servants with their horses and arms, be allowed unto him, in passing to and fro (for his security) in the Parliament's quarters, where his occasions are, and that his wife, and children shall enjoy the benefit of these Articles in his absence.

6. That Col. John Kelly shall have liberty to reside in the Castle of Aharahan [? Ahascragh] or elsewhere upon his estate free from molestation with twelve musketeers for his defence, and that arrears of the contribution there due, be not laid upon him for his estate lying in the half-barony of Killian [co. Galway]. Articles of Capitulation. f. 55.

[1] Now Carrick-on-Shannon. Articles of agreement between Commissary-Genl. Reynolds and Col. Richard Bourke, concluded April 8th, 1652.

1. That the garrison of Drumruske shall be surrendered to the Commissary-Genl. with all the arms, ammunition, artillery, and stores therein contained by three of the clock in the afternoon, except hereafter excepted.

2. That Col. Rich. Bourke, the officers, and soldiers shall have quarter of life and liberty to march forth, with their arms, horses, bag and baggage, colours flying, drums beating, lit matches, six shot of powder, and that such as desire the same shall be admitted into protection of the State of England, and receive passes to return to their several habitations, where they shall reside free from prejudice or molestation, and that all others of his company, together with the said Col. Rich. Bourke, shall have liberty to march in the County of Galway in order to their transportation, where they are to remain during the space of two months, and to receive maintenance for that time out of their former quarters, assigned unto them by the Irish party, in the half-barony of Loughrea and the half-barony of Athenry, and if before the expiration thereof, agreement be not made for their entertainment into the service of the King of Spain or some foreign prince, that then they shall lay down arms, and be received into protection, or that such of them, as desire the same, may have leave to transport themselves from any port of Ireland into Spain or any foreign part, provided none of them had a hand in the massacres and robberies acted against the English in the first year of the war, or that have not been in protection of the State of England or served them in their armies in Ireland formerly.

3. That all inhabitants of the garrison shall enjoy their goods, cattle, and corn in ground, paying contribution according to their ability, and that such of

favour is placed upon their Commissary-General. We humbly desire that your Lordships will be pleased to communicate these particulars to the Parliament. We have no time to represent the same unto them, being ready to take horse for Kilkenny." 14 April. *Ib.* f. 57.

them, as desire to remove, shall have one month's liberty to convey their goods to any place they shall desire.

4. That Col. Rich. Bourke shall have a discharge for any goods left in the castle to the use of the owner thereof.

5. That Col. Rich. Bourke give security to Sir Charles Coote, Lord President of Connaught, that no hostile act shall be committed by his regiment during their continuance in arms to any of the Parliament's forces, nor any other prejudice to the quarters than in receiving subsistence from them according to their former assignations and no more.

6. That Lt.-Col. Wm. Taaffe with his company shall be admitted to the benefit of these Articles upon the surrender of Ballinafad unto Commissary-Genl. Reynolds, and have two months' maintenance for his company allowed him, in his former assignations in the County of Sligo.

7. That Major Walter Phillips with his company be included within the same Articles with Col. Bourke, and out of the creaghts in the barony of Castaloe [Costello, co. Mayo] he is allowed to raise two months' maintenance for which charge consideration shall be made unto them in their future contribution.

8. That Capt. James Lambert and his company be included within the same Articles with Col. Bourke's company, and have liberty to raise two months' maintenance out of his former assignations in the barony of Dunkellin and County of Galway.

9. That Capt. Hugh M'Dermott with his company be included within the said Articles, and have 2 months' maintenance allowed to him out of his former assignations in the barony of Boyle and County of Roscommon.

10. That Capt. Miles Phillips shall be included within the same Articles, and have 2 months' maintenance allowed to him out of his former assignations in the barony of Gallen and County of Mayo.

11. That Capt. Murrough O'M'Loghlin and his company shall be included within the same Articles and have 2 months' maintenance allowed to him out of his former assignations in the barony of Longford and county of Galway.

12. That the arms now in the possession of the respective companies of foot in the said Colonel's regiment shall not be wilfully embezzled.

13. That the benefit of these assignations shall not be extended to any of that regiment who shall not depart the nation, and instead of those who shall withdraw themselves, it shall be lawful for Col. Bourke, to complete his regiment by bringing any who are with the Irish party now in arms into those assignations.

14. That passes be delivered unto Col. Bourke and his officers for their safe travelling in manner following, viz.: To Col. Bourke 4 servants, their horses and arms; To Lt.-Col. Taaffe 3 servants, their horses and arms; To Major Phillips 2 servants, their horses and arms; To each captain 1 servant, his horse and arms.

15. That Col. Rich. Bourke shall have liberty to convey all his goods into the island of Insinutris (? Iniscaltra), thence to Dunsandle in the county of Galway.

16. That Col. Rich. Bourke shall have liberty to enjoy his land at Dunsandle, paying contribution, and his wife shall be admitted into protection, and have the benefit thereof, or whom he shall appoint in his absence, as others, upon the settlement of his condition, who are admitted into protection.

17. That in case no agreement can be made by the said Colonel for the transportation of that regiment, within that time, it is intended that the said Colonel shall have liberty to transport his regiment any time hereafter, provided they be no charge to the country after the expiration of the two months above mentioned.

168. Same to the Commissioners of Revenue at Belfast.

"Upon second thoughts of the order sent you by us, concerning the setting of the tithes of the Route and Glynnes[1] to the Earl of Antrim, we are desirous to let you know that it is our intent that the said Earl should only reap as much benefit by the said tithes, as will supply what is wanting of the fifth part of his estate to make up £40 *per mensem*, and therefore, if upon further consideration and inspection into the value of the said tithes, you find you can set them for more, we desire you to set them for the best advantage of the State, and out of the whole rent to cause allowance to be made to the Earl of Antrim of £20 *per mensem*, which is the sum you mention in your letters to be wanting of the £40 *per mensem*, that we formerly ordered for his Lordship out of the fifth part of his estate, if it had amounted to so much." 14 April. *Ib.* f. 58.

169. Same to Sir Charles Coote.

"We have received yours of the 15th inst. from Galway by Major King[2] and Major Brayfield,[3] with your explanation of the Articles of Galway in answer to the Resolves sent you

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18. That the corn now sown at Carrick Drumruske by the said Colonel shall be praized by indifferent men, and paid him within one month, and the growing contribution thereof to be deducted out of the price.

19. That Col. Rich. Bourke shall give sufficient security and hostages out of each company of his regiment unto the said President of Connaught, or Commissary-Genl. Reynolds within one month for the performance of these Articles.

20. That if agreement be made with the Spanish agent, that the companies of Col. Bourke's regiment meet at a rendezvous at Loughrea in the County of Galway, and there lay down arms, according to the agreement made upon the surrender of Drumruske, and if that agreement be not made according to the time limited in these Articles, that then the respective companies deliver their arms to the officer commanding the next garrison to the quarters assigned during the two months before mentioned, at or before the expiration of the said time, whereupon they are to be admitted to receive the benefit of the provision made for them by these Articles, in case no agreement be made for their transportation, In witness of the above-mentioned agreement I have hereto set my hand. [Signature wanting.] Articles of Capitulation. ff. 56-8.

[1] Practically represented by the baronies of Cary and Lower Glenarm in co. Antrim.

[2] Major John King, son of Sir Robert King, of Sir Charles Coote's regiment, disbanded 1655, afterwards a Commissioner for setting out lands in co. Sligo.

[3] Major, afterwards Col., Alexander Brayfield, Governor of Athlone, a staunch republican, regarded with favour by Fleetwood, but according to H. Cromwell "a busy and turbulent person and a promoter of seditious papers." He refused to surrender Athlone to Coote in 1659, but was betrayed by the garrison. Ludlow, *Memoirs*, ii, p. 188.

from Dublin the 10th of this present, and though in some things your said answers reach to the satisfaction of the said Resolves, yet they are not satisfactory unto us; because it doth not appear that the Commissioners, that treated for the town, did agree to that explanation your Lordship hath sent us, and if they had assented with your Lordship to those explanations and no further, yet the dissatisfaction mentioned in the said Resolves would still remain, because in some things they differ materially from the said Resolves, which we have sent to the Parliament; and to give our approbation upon other terms, than what we have laid before the Parliament, we hold it noways becoming us to do, until their further pleasure be known. Therefore we desire your Lordship, for the avoiding of future disputes and mistakes in this matter, forthwith to impart the said Resolves unto the Commissioners of the town, or to others authorised to that purpose, and to let them know, that until they have assented to the substance and matter of the said Resolves, and, that they do consent that the Articles be declared to be construed according to the substance and matter of the said Resolves, we cannot assent unto nor approve of the said Articles; and, because the well-ordering of many other affairs may depend much upon the result of this business, we desire your Lordship to let them know, that it is expected they do declare themselves and their sense concerning the said Articles in writing, to be delivered to your Lordship within six days after this comes to your hands, otherwise we shall hold ourselves disobliged of the consent we gave, and is mentioned in the said Resolves." Kilkenny, 20 April. *Ib.* f. 61.

170. SAME TO THE SAME.

"By ours of this date, that comes to you with this, you will understand our resolutions concerning the Explanations of the Articles of Galway sent us by Major King and Major Brayfield, and, as we noways question either your Lordship's integrity, or the gentlemen employed by you in that affair, so we desire you to believe that we shall be always ready to make the best interpretation our judgments will lead us to of all your actions. We expect very shortly here a meeting of most of the General Officers, at which time we shall communicate unto them your desires concerning the building of those citadels in Galway, the stores of provisions, and also the further addition of foot mentioned in your letter; and what results their meeting produceth to that purpose shall be speedily imparted unto your Lordship." Kilkenny, 20 April. *Ib.* f. 62.

171. Same to Don Francisco Foyssot.[1]

". . . We consent that the 300 men you write of, be raised and transported, so that they be under the command of Major Peter Talbot,[2] a late officer of the Irish party, a civil gentleman, as we are informed, who is desirous to engage in the King of Spain's service, and to whom we have given power to raise the said 300 men, who will apply himself to you to make his conditions. We are consenting likewise that you do make up the said 300 men and the 800 (or other number of Irish already transported) not exceeding the number of 2000 Irish, formerly allowed by the late Lord Deputy. . . ." Kilkenny, 21 April. *Ib.* f. 64.

172. Same to the Commissioners at Belfast.

"We received a petition from William Adams of Coleraine, alderman, and William Gardiner, sheriff of the City of Derry, in behalf of themselves and the rest of the tanners residing in and about Coleraine and Derry, setting forth that they petitioned you for licence to peel bark in the woods of the Glynnes and County of Londonderry. . . . And though it be of very much concernment to have the wood in those parts carefully preserved, yet, seeing the tanners thereabouts cannot be provided with bark anywhere else, and also being not willing any useful or profitable trade should decay amongst you, our desire is that you license the tanners in and about the places aforesaid to cut and fell such numbers of trees, and to peel the bark thereof, as you in your discretion, shall find necessary, to furnish them with bark for their particular trades and not for transportation, they paying for the said bark such price as it shall be worth. . . ." Kilkenny, 26 April *Ib.* f. 66.

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[1] Foyssot or Foissott had as far back as 1644 been employed as an agent on behalf of Spain for raising recruits in Ireland. Three letters from him to General Preston in 1647 are printed in the *Cal. State Papers*, Irel., 1633-1647.

[2] Perhaps the favour shown to Talbot was due to the fact that while Ireton was engaged in besieging Limerick he had entered into terms with him to surrender Clare Castle, of which he was then governor. The design however was suspected, and Talbot was seized and imprisoned by his own men.

173. By order of the Commissioners.

Forasmuch as we are credibly informed that wolves[1] do much increase, and destroy many cattle in several parts of this dominion and that some of the enemy's parties, who have laid down arms and have liberty to go beyond the sea, and others, do attempt to carry away several such great dogs, as are commonly called wolf-dogs, whereby the breed of them would (if not prevented) speedily decay, these are therefore to prohibit all persons from exporting any of the said dogs. Kilkenny, 27 April. Orders A/82. 42. f. 202.

174. By the Commissioners of Parliament.

For the more effectual discovery of such rebels, thieves and Tories as resort unto, or are harboured in places not excluded from protection, by whom many murders and robberies are committed, and for preventing of relief and intelligence to the rebels by persons living in protection, it is declared that all persons, above the age of ten, shall register their names, places of abode, to what family they belong, their qualities or callings, age, sex, stature, colour of hair etc. These descriptions are to be kept in a book, and the person signified is to receive a ticket or pass. All persons not registering within forty days after publication are to be accounted spies and enemies and to be imprisoned. Kilkenny, 29 April. *Ib.* ff. 211-7.

175. The Commissioners to the Parliament.

"Upon the 17th of April last many of your servants came into Kilkenny and had a meeting with sundry of the General and Field Officers. The first two or three days we were entertained as with accounts of treaties from many parties of the enemy, so with the daily sad news of several small parties of yours, which more seriously affected us all with what hath been often but too slightly upon our hearts, viz. the observance of our general aptness to lenity towards (and composure with) the enemy, and the several visitations upon us, which ordinarily have been the consequence thereof, which, with the sense we have of the blood-guiltiness of this people in a time of peace, doth (through dread of the Lord only we trust) occasion much remorse for particular weaknesses past in most minds here concerning some treaties, which are liable to be attended with sparing whom he is pursuing with his great displeasure; and whether our patient attending rather his further severity upon them (though that may occasion your further great care and charge, and perhaps the greater hardship of your poor servants here) be not most safe and advisable.

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[1] The wolf did not disappear from Ireland till late in the eighteenth century. For an interesting note on wolves and wolf-dogs see Hill, *Montgomery MSS.*, p. 117; also Ed. Hogan's *Hist. of the Irish Wolfdog.* Dublin, 1897.

"And whilst we were in debate hereof, and of our dealing with those who yet continue in rebellion, an abstract of some particular murders was produced by the Scoutmaster-General[1] (who hath the original examinations[2] of them more at large), which indeed much informed not only ourselves and other of your officers, which came over in this last expedition, but others, who have been here from the beginning of the war professed they had never formerly such full and particular knowledge and sense thereof, and indeed so deeply were all affected with the barbarous wickedness of the actors in these cruel murders and massacres (being so publicly in most places committed) that we are much afraid our behaviour towards this people may never sufficiently avenge the same; and fearing lest others, who are at greater distance, might be moved to the lenity we have found no small temptation in ourselves, and we not knowing but that the Parliament might shortly be in pursuance of a speedy settlement of this nation, and thereby some tender concessions might be concluded, through your being unacquainted with these abominations, we have caused this enclosed abstract[3] to be transcribed and made fit for your view; and considering that so many murders have been committed, that few of the former English were left undestroyed, especially who had any particular knowledge of the massacre, and of those the greatest part are since deceased, so that few of the rebels can be particularly discriminated by any evidence now to be produced, as the usual course of justice doth require, yet those barbarous, cruel murders having been so generally joined in, and since justified by the whole nation, we humbly offer to your most serious consideration whether (as in duty towards God, the great avenger of such villanies, who hath from the beginning of this war to this present always, in your appeal by war against them, appeared so signally, some of them being now already in your power, and there being some good hopes of reducing many more of them) some rules should not be by you held forth, either by the present despatch of the qualifications and exceptions formerly sent you, or such other as you (in your wisdom) shall judge fitting to prescribe unto your servants here, and your commands therein, and in all other ways of truth and justice

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[1] Dr Henry Jones; see note, p. 153.

[2] These examinations, in 33 vols, are now in the library of Trinity College, Dublin. (F. 2, 2-22, and F. 3, 1-12.) A selection was published in *Ireland in the Seventeenth Century or the Irish Massacres of* 1641-2, by Miss Mary Hickson, London, 1884. Unfortunately, owing to the want of an Index, the book is practically useless for historical purposes. That the examinations should have been regarded by Dr Jones as his private property is not the least curious fact connected with them. The best thing Jones did in his life was to leave his library, including the *Book of Durrow*, to the College.

[3] The Abstract is too long to print, and besides as documentary proof of the "Massacres" it is entirely worthless. (See on this point *Eng. Hist. Review*,

i, 740-744.) As illustrating its contents I merely give the first and last entries, referring to counties Kilkenny and Fermanagh.

"County of Kilkenny. A young girl stript about Easter 1642 in the City of Kilkenny by a butcher, her belly ript up that her entrails fell out, where the Mayor (on complaint of the mother) bad away with her and despatch her, whereupon the mother received 17 or 18 wounds, and her other child was also extremely wounded, and all forced out of the City by men, women and boys throwing stones and dirt at them, so as the two children died in a ditch. The Alderman of Kilkenny petitioned their council that Phillip Purcell Esq. might be punished for relieving of Protestants. A woman and 2 children in the City of Kilkenny was by the inhabitants hunted, baited and torn with dogs, stabbed with skeans, one of her children's guts being pulled out. At Kilkenny 7 Englishmen hanged and one Irishman, because he was taken in their company. Twelve murdered at the Graige, one of them (being a woman with child) had her belly ript up, the child falling out alive; and a child of a year and a half old hanged, another of them (named Robert Pine) being twice hanged up, was cast into his grave and so buried quick (sitting up and saying Christ receive my soul). An old man hanged and afterwards dragged up and down till his bowels fell out. Christopher Morley and two English boys of Castlecomer hanged. One other English boy (8 or 9 years old) had his head cleft and before he was dead hanged on his father's tenter-hooks. About 3 score men, women and children murdered at the Graige, many of them buried alive.

"County of Fermanagh. Arthur Champin and 16 more with him murdered. At another time 24. At another time 2 murdered. One killed and 14 hanged. Seven hanged at one time and divers others put to death. Four score men, women and children burned and killed in Lisgoole. At Monea Castle 8 murdered. At Tully Castle 4 score murdered. Near Cordiller 300. One more hanged. Fourteen Protestants hanged. Forty Protestants in the parish of Newtown murdered. Eighteen murdered. Thirty murdered in the parish of Clankelly. Twelve murdered in Newtown. William Ogden murdered. Sixty (another says 100) murdered at Tully after quarter given or promised them. Fifteen hanged at Lowtherstown. Two murdered at Kinawley."

shall be duly observed by your." Kilkenny, 5 May. Domestic Corresp. A/90. 50. ff. 69-70.

176. Same to the Parliament.

"It is now full three weeks since our coming from Dublin, and hitherto our abode hath been in this place, where we have met with most of your General and Field Officers (saving those in Ulster and those remote parts). Your affairs there (upon Col. Venables coming to us) being in some good measure settled and ordered at our being at Dublin; and as, by your great care, there hath been good plenty of provisions timely made and provided for the carrying on of your service here this summer (for which the hungry and poor naked soldiers have good cause to bless God for you) so we have (by the general advice of your officers) disposed of the same, as may best conduce to that end; and (by the same advice and directions, and to that great end) your forces are ordered and disposed of for this summer's service in the several provinces and parts of this nation, and therein care hath been taken for the securing your garrisons in all parts; and there are in the several provinces moving parties ready to attend all motions of the enemy, and in Wicklow and many other places (where the enemy doth lie in bogs, woods and other fastnesses) there are new garrisons planted, to prevent, as much as may be, their incursions into your quarters, and to fall in upon the enemy as opportunity shall be offered; and besides, there is two considerable bodies both of horse and foot, one to attend the motions of Muskerry and his party about Kerry (which is yet wholly in the enemy's power), where are many ports and harbours fit to receive relief from foreign parts, and another about Athy in Leinster to be ready to follow the motions of the enemy from the bogs and woods in those parts, where also the enemy is very considerable, and both these parties are to have communion with the other forces in those parts adjacent as occasion shall be offered.

"We have had late intelligence from good hands that Clanricarde and the enemy from Connaught (having slighted[1] and burnt all, or most of their garrisons in those parts) are gone or going towards Ulster to join with Sir Phelim O'Neill,[2] Col.

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[1] *I.e.* thrown down. Cf. *Merry Wives of Windsor*, Act iii, sc. 5.

[2] As the leader of the Ulster Irish Sir Phelim O'Neill had played a large rôle

Farrell, and other the enemy in Cavan and other parts of Ulster; and thereupon orders are gone to three troops to join with Col. Venables. And the party under Sir Charles Coote, and the Commissary-General's party about Athlone, are to follow the enemy, if their motion be that way. And for the execution of those resolutions, some of the officers are gone from us, the present exigency of affairs calling for the same.

"And before your forces could be in the field (the horse being weak with much duty this winter, any grass not yet to be had in most parts), the enemy have appeared in some places and have driven away cattle and other prey from some of your quarters, and have made sudden incursions by small parties, and have surprised the horse of two troops of dragoons; and hearing of our parties drawing towards them, they did, about the end of the last week move towards [Wexford],[1] whereupon two troops of horse were sent to the relief of your forces there, and by their timely coming they met with the enemy, who had preyed the quarters to the walls of Wexford, and being in their return with their prey (of at least 500 cows) our party (under command of Lieut.-Col. Throgmorton) met with them, your forces being 140 horse and 400 foot, and the enemy had (as the prisoners relate and were so estimated) about 250 horse and about 500 foot; and in this your poor foot (not having pikes, whereof there is a general want) were hereby put hardly to it, and in the first encounter your horse made some small retreat, but (through the good hand of the Lord, who still appears for you and against your enemies) after a sharp and short dispute were broken, and 200 killed in the place and on the pursuit (as we can learn by best intelligence) and some officers of the enemy both killed and taken prisoners. Of our party were twenty-one lost and 100 wounded; but no officer lost and but few wounded.[2]

in the Rebellion in its earliest stage. But his failure to capture Drogheda and the superior military ability of his cousin Owen Roe had greatly diminished his importance and forced him, for the greater part of the war, into the background. As the war drew to a close he emerged from his obscurity as a guerilla chief, and public attention being attracted to him it was remembered that in taking up arms in 1641, he had alleged having had the express authority of Charles for doing so. The Government of the Commonwealth was extremely anxious to prove this point and shortly afterwards offered a reward of £100 for his capture. See Life in *Dict. Natl. Biog.*

[1] Supplied from the letter actually sent and now in the Tanner MSS. liii, 22; printed in Ludlow's *Memoirs*, i, App. IV, p. 514.

[2] As to this skirmish see Ludlow's *Memoirs*, i, p. 315 and *Contemp. Hist. of Affairs*, iii, pp. 86, 390.

"As to Fitzpatrick (who was the first that came in and submitted) all the Irish party are highly incensed against [him], and (to render him odious) have divulged this enclosed Declaration against him, and the clergy have excommunicated him and all that join with him, and some of his party have been cut off by the enemy, who did also cut off the ears of some whom they took prisoners, and Fitzpatrick hath met also with some of the enemy. But that, that much distracts your affairs concerning those persons, that are by engagement to be transported, is, that they must lie in our quarters till shipping be provided for them. But while we were in some straits about this there is one Captain White that hath contracted with Fitzpatrick for 2000 men, and we hope 1000 of them will be shipped next week, and by this means you will have a good riddance of those troublesome guests, there being visibly ready to be transported (had we but shipping ready) of Fitzpatrick's men 2000, of O'Dwyer's party about 1000 (who are come in and arms already brought in to us), of Murtogh O'Brien's [1] party in Clare 2000 (whereof 1200 are already come

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[1] See also p. 70, note.

Articles of agreement made and concluded upon at Limerick the 21st of April 1652 between Major-Genl. Sir H. Waller, Col. Peter Stubber, Commander-in-Chief of the forces in the county of Clare, Col. Thos. Sadler, Lt.-Col. John Nelson, Governor of Kilmallock and the rest of the Council of War for, and in the behalf of the Parliament of the Commonwealth of England on the one part and Col. Murtogh O'Brien, Commander-in-Chief of the Irish Brigade in the County of Clare, Col. Daniel M'Namara and Lt.-Col. Fitzgerald, Commissioners entrusted and authorized by that Brigade on the other part as followeth, viz. Imprimis. That all the forces of horse and foot under Col. Murtogh O'Brien's command shall by the 10th of May next deliver up their arms and horses at or near the Castle of Clare, or Innish (Ennis) to Major-Genl. Sir Hardress Waller, or whom he shall appoint for the service of the Commonwealth of England, and till that time the county where now they quarter is to provide for them.

2. That in consideration thereof the said Col. Murtogh O'Brien with his whole party, that shall so deliver up their horses and arms (except what is hereafter excepted) shall have protection for their lives and personal estates, and live in such places as shall be thought fit by Major-Genl. Sir H. Waller in any place within our quarters, garrisons excepted, they acting nothing during that time to the prejudice of the Parliament, their forces or garrisons.

3. The horsemen so delivering up their arms shall have liberty to sell their horses in the Parliament's quarters to their best advantage.

4. That the aforesaid party shall have protection given them and quarters appointed them as shall be judged fit by Major-Genl. Sir H. Waller until the last of May next.

5. That as to the real estate of any of these parties they shall have equal benefit with others under the like qualifications in any Articles that shall hereafter be held out from the Parliament of the Commonwealth of England, or hath been since the first of February last.

6. That such of them as desire to transport themselves to serve any foreign State in amity with the State of England shall have liberty to treat with any agent or agents for that end and purpose, for the space of one year after the date

in and laid down their arms); and of those in the north (there are come in and mentioned in Col. Venables' letter enclosed) [wanting] there may be 2000 more, besides many others that

hereof, and also to transport themselves, if they can so agree, to any such places; provided they give sufficient security that they be not transported any otherwise to the disservice of the State of England.

7. To the end the country may receive the less prejudice during their necessary continuance together according to the time limited, and that they may be enabled to satisfy the country for their quarters, the said Col. Murtogh O'Brien shall have liberty to collect and receive a month's contribution for all the officers and soldiers of his Brigade that shall at or before 10th May next bring in their arms as aforesaid.

8. That the said Col. Murtogh O'Brien with all Commission Officers of his Brigade (excepting the excepted) shall enjoy their horses and arms with such attendance as shall be thought fit by Major-Genl. Sir H. Waller.

9. That upon submission of the said Brigade of Col. Murtogh O'Brien all prisoners of both sides shall be enlarged and set at liberty, and those of Col. M. O'Brien to have protection of their lives, they giving sufficient security for their future good demeanour, and those who cannot give sufficient security to be transported for such places in amity with the Parliament of England, under such officers of their party as they shall choose, that shall make any such condition with any foreign nation as is before mentioned: Provided that the benefit of all or any the Articles aforesaid extend not to any one that hath been guilty of murders or massacres of any of the English, or any adhering to them since the year 1641. And for the avoiding of any scruples which at any time hereafter may arise in the construction of the word murder, it is hereby declared and intended that the said murder shall be construed and extend to such person or persons as have in the year aforesaid or since murdered any English person or others not then in arms, and that the same shall not extend to any men killed where forts or castles were besieged in the year aforesaid or since, and that the same shall extend only to such person or persons as have committed or acted any such murder if any be, and not to others.

10. That all crimes, offences, and trespasses of what nature or condition soever done or committed as soldiers since the first day of the wars of Ireland in the year 1641, by the said Col. Murtogh O'Brien, or any officer or soldier of the said Brigade against any of the English nation or any of their adherents shall be absolutely forgiven to the said Colonel and all other the officers and soldiers of the party, so that the said Colonel nor any of the said party shall ever hereafter be questioned for act or acts done since the wars (except before excepted).

11. Provided that the benefit of these Articles extend not to any priest, or other of the Romish clergy in orders further than the said Major-Genl. doth undertake industriously to solicit the Commissioners of Parliament that such of the clergy in orders, having no other act or crime laid to their charge than officiating their function as priests not being suffered to live in quarters or protection, shall have passes and liberty to go beyond the seas, nor to any other officer or soldier that hath taken away the lives of our party after quarter given, and provided also that the benefit of them extend not to any that have been formerly of the Parliament's party and deserted their colours since the Lord-Lieutenant Cromwell's first arrival and are or may be now in the said party.

12. That if it appears that any horseman embezzles his horse or arms, or any foot soldier his arms or any part of them he shall upon the proof thereof, forfeit the benefit of these Articles; and lastly it is concluded and agreed upon that the breach of these Articles in any one person shall not extend to reach further than the person that is so found guilty of the said breach, and that if any of the said party of what quality or condition whatsoever shall delay the accepting of the said Articles, it shall be free for as many of the rest as shall think fit to come and enjoy the full benefit of them. And moreover the Major-Genl. doth give way besides the month's pay allowed them at their coming in, that they

(of late) have submitted and made agreement with Commissary-General Reynolds.[1]

"There have of late been many applications made from several chief officers of the enemy's party to treat, since the agreement with Fitzpatrick, and that business is ready for a conclusion, and to that end the Commissary-General, Col. Hewson, Col. Lawrence, Col. Axtell, Adjutant-General Allen, with some others are gone with instructions, agreed on at a Council of Officers, by an unanimous consent, the effect whereof are the conditions Col. Venables was authorised to give to those in Ulster, and the effect and matter of their instructions are mentioned in the Articles agreed on in Ulster, which are enclosed [wanting], and that

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shall reckon and account with the country for what they can demand of them as pay, and as the country is able, they shall satisfy them in a reasonable manner, wherein if the country and they differ upon the sum demanded as too heavy and burdensome, it shall be then referred to the Major-Genl. to set down what the country is willing and able to pay, as also further to such of the said party as by their future carriage and demeanour shall give testimony and satisfaction of their good affection and change of their judgments and ways, such endeavour shall be used as they be rendered or deemed capable of employment or trust in the Parliament's service, so long as it shall be thought fit; and in regard that officers of Col. Murtogh O'Brien allege that they are under the command of the Lord Muskerry, it is concluded and agreed that if the Lord Muskerry shall make better conditions for his party in Kerry, than is granted to Col. Murtogh O'Brien's party before the last of May next, then Col. Murtogh O'Brien shall have the benefit of such Articles as shall be given to the Lord of Muskerry's party; and lastly the Commissioners of Col. Murtogh O'Brien, whose hands are here subscribed do engage themselves within six days after the date hereof, to send to Col. Stubbers to Clare Castle the number of officers and soldiers of Col. O'Brien's party that accept of these conditions, and sufficient hostages for performance thereof. In testimony whereof we the undernamed do interchangeably set our hands and seals the day and year above written. Peter Stubber, Thomas Sadler, John Nelson. Signed, sealed and delivered in presence of us, William Miller, Donogh M'Namara, Daniel M'Namara, Ben Lucas, Geo. Degor.

I do hereby testify that I received Col. Murtogh O'Brien's party upon Articles which I well remember to be for the materials and substantial parts according to this copy, the original being delivered and approved of by the then Commissioners of the Commonwealth, and the performance thereof at no time questioned or infringed nor any complaint hitherto (that I have ever heard of) for any breach of any of the said Articles, as witness my hand and seal this 22nd of November 1655. Har. Waller. I do hereby further certify that more particularly the 5th Article was insisted upon by those with whom these Articles were made, and that the Commissioners which I appointed to treat did fully conclude of the same, and afterwards I ratified and confirmed the said Articles, and therefore there is no question but the parties concerned therein ought to have the full benefit thereof, as witness my hand and seal this 19th of March $165\frac{5}{6}$. Har. Waller. I do certify to the best of my knowledge that this is a true copy. In witness whereof I have hereunto put my hand and seal this 19th of March $165\frac{5}{6}$. Tho. Sadler. Articles of Capitulation, ff. 114-8.

[1] Viz. Col. Teige O'Conor Roe who submitted with his regiment to Reynolds at Tully, co. Roscommon, on 2 April. See Articles of Capitulation, f. 53, printed in Gilbert, *Contemp. Hist.*, iii, p. 304; and Capt. Hugh O'Reilly, with his command, who submitted to Major Desborow on 22 April, Articles of Capitulation, f. 59; printed in Gilbert, *Contemp. Hist.*, iii, p. 314.

agreement hath since been approved by us (by advice of a General Council of Officers). The time for this treaty is to expire next Saturday by five of the clock in the afternoon. At this treaty is present Dungan, Scurlock, Earl of Westmeath, one from Lord Muskerry, and indeed the heads of most of those that are now in arms against you in all parts, save Ulster: the issue of this you shall hear by the next.

"As to the business of Galway, Sir Charles Coote was in possession of the place before our letter came to him, mentioned in our last to you. Since that he hath sent two of his officers with an explanation of his meaning in the Articles of Galway; and since they of Galway have yielded in some things to the exceptions we made, and the main exception, yet remaining unsatisfied, is about their houses and real estates in Galway; but as to that Sir Charles Coote is in some hopes they will in time be brought to yield unto, and at our going thither we hope we shall be able to give you fuller account thereof. At the present (by advice of the Council of Officers here) there is a regiment of ten companies of foot under Col. Stubbers[1] sent into Galway. We shall only add that Sir Charles Coote is very sensible of those Articles of Galway as they are; but he assures us his zeal to have your work and great charge put to a short issue, was the occasion of those concessions, and if he had not taken the opportunity then offered, he conceived there was great probability that more forces would be brought into the town, so as it might have kept all your forces this summer in those parts to attend that service.

"As to your forces, we are in a miserable and sad strait for want of pay for the poor soldiery, and yet such patience is amongst them that we hear of no complaint from any of them or their officers, but they are all ready to obey all commands, and orders, and are now marching into the field, though we can have no money from the treasury." Kilkenny, 6 May. *Ib.* ff. 87-90. *Enclosed.*

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[1] Col. Peter Stubbers was one of the "wicked guard of halberdiers" at the execution of Charles I, and according to a legend, recorded by Hardiman (*Hist. of Galway*, p. 12) the actual executioner of the King. He came to Ireland as colonel of a regiment of foot with Cromwell, by whom he was made for a time Governor of Kinsale. After the surrender of Galway he was appointed governor of that place, and is said to have treated the townspeople with great cruelty. He acquired the estate of Col. John Fitzpatrick; but was exempted by name in the King's declaration of pardon at the Restoration.

176 (i). THE DECLARATION FOLLOWING BY THE NOBILITY, CLERGY, GENTRY, COMMANDERS AND OFFICERS OF THE PROVINCE OF LEINSTER.

" Whereas Col. John Fitzpatrick hath been, by his Majesty's Chief Governor of this realm of Ireland, advanced first to a captain of horse place, and soon after to the place of colonel of foot, by virtue whereof he raised both horse and foot, and, by countenance of those places of honour and trust conferred upon him, did exceedingly enrich himself, and, by the unrestrained liberty of plunder given by him, became so numerous as raised his ambition to such an unnatural height of sin and ingratitude as, contrary to his allegiance to his Majesty, the sacred tie of his public oath taken by him, and of his private engagement to his Commander-in-Chief subscribed by him, and several public vows and protestations lately made and taken by him in the Provincial Assembly of Leinster, even at that very time having consented to a general application for the nation despatched in his sight, being resolved to prove a reprobate, or rather an apostate to his religion and loyalty and fidelity to his king and country, in absolute breach of the trust reposed in him, and even at that time when his Majesty's deputy of this kingdom wrote for, and requested a national treaty for the settlement of this realm, hath, most treacherously and perjurously, preferring his own particular before the public interest, entered into an agreement and capitulation, with persons entrusted by the Parliament of England, for conditions tending to his own particular advancement, assenting most inhumanly to the exclusion of his own father from life and fortune, and articling privately for his own estate in reversion, making no mention of the like for such as he intended to embark with him in his wicked exploits and achievements merely to deceive them, and undertaking to draw out of his Majesty's army of this province, unto some or several seaports of this kingdom, 4000 foot and 400 horse, to be transported to the service of some foreigner in league with the Parliament, or be employed here at the State's election, without providing in either of the said agreements for the use or exercise of the Catholic religion, rendering thereby all the interest incident to a nation a prey to his most impious and unparalleled ambition, and, in pursuance of the same agreement, hath and doth still act and contrive all the ways and means he may, to put his wicked designs in execution, by which unnatural perpetrations and endeavours he hath not only given the first example and precedent of treason and perfidy, of the most dangerous consequence to the safety and preservation of this kingdom, but also hath administered cause to the enemy to promise themselves great assurance that others will run the like score, to the great disadvantage of the nation in all their proceedings, as by several experiences since his defection was found, for which the said Col. standeth deservedly excommunicated by the clergy, and in respect thereof exempted from the congregation of the faithful, and in no sort to be communicated with. In consideration whereof, and in discharge of our duty to God, our king and country, and for prevention of the sad effects to be produced by such malicious machinations, we do, by this public instrument, protest against the said Col. Fitzpatrick for his said treacherous acts and agreements, as being most destructive and fatal to the Catholic religion, his Majesty and liege people, which we declare to the world, whereby to remain as an undelible brand of infamy upon the said Fitzpatrick whithersoever he shall come, and upon all that do or shall adhere to him, whereof we desire all Christian princes, states and potentates to whom the said Fitzpatrick shall come, to take notice, and his Majesty's subjects and, especially the natives of this kingdom, wheresoever they shall meet him.

"Walter Bagenal, Wa. Dongan, Lysagh O'More,[1] Ri. Barnewall."

177. SAME TO THE COUNCIL.

"Since our coming to this town (being the 17th of April last) our time hath been taken up in receiving an account from your officers of the condition of your affairs, and strength of the enemy in all parts of this land, and in advising with them how the clothes, cloth, arms and provisions might be issued out with most equality and advantage to your service. And although your Lordships' care and wisdom hath been very great, in making such ample provision to supply the wants of those that serve you here, yet, when we came upon the distribution of them, we found 2000 suits of clothes for the foot soldiers wanting to answer the number of soldiers upon muster, notwithstanding those clothes that were provided and made at Dublin. We find likewise a great want of carbines, firelocks and pikes. We have not yet had invoices, nor a full account of all your stores of provision of victuals in, or appointed for all parts, whereby we might issue out orders for the equal distribution of the same, and give your Lordships an account how long the said stores may serve your forces; only this we humbly certify your Lordships that all the quantity of cheese, whereof we have had any advice, is exceedingly short and inconsiderable to serve your forces, and that there is little hope of bread or other provisions in this country, the inhabitants of Thomond, Upper Ormond, and in several other parts of the land being necessitated by hunger to eat their garrans and plough-horses, and to buy and steal from one another the worst kind of horses to eat, so that little or no provision will be had in Ireland for your forces before the beginning of October next; but we presume that those who serve you at the Committee for your affairs there have all before them, and can advise what is fit to be ordered touching future supplies. We send your Lordships herewith a copy of Articles [wanting] agreed upon by Col. Venables with two of the Ulster regiments of the enemy, which we humbly desire may be reported to the Parliament for their approbation. We find the conditions made by Commissary-General Reynolds with Col. Fitzpatrick hath taken very good effect, in breaking the union and combination, that was between the rebels, not to divide or seek terms apart, for which the said Col. Fitzpatrick was excommunicated by their priests, and declared against by their Council held at Garrench; and since their submission many of Fitzpatrick's men have been killed by Col. Grace's forces, so that of Fitzpatrick's, O'Dwyer's, and Murtogh O'Brien's men and of other forces in Connaught, who lately submitted to Commissary-General Reynolds, there are, as is conceived by your officers, no less than 6000 men that have already submitted. Most of whom are willing to go to serve the King of Spain, and, in order to their transportation and thereby ridding this country of them, we have given power to some merchants here to press shipping, upon good security to be given for insurance of the ships, freight and demurrage, according to the usual course and custom of merchants, provided the forces to be transported be such as lay down arms, and are not guilty of the murders, and in number not exceeding 10,000 men. We humbly desire your Lordships' approbation of this particular, it being an extraordinary act, and of very great advantage to your service in the judgment of all that serve you here.

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[1] Lysagh or Lewis O'More was the brother of Rory or Roger O'More, the real author of the Rebellion. He served as colonel under Owen Roe O'Neill and was noted as an active officer (Gilbert, *Contemp. Hist. passim*). After his surrender he had to stand his trial for some murder laid to his charge and was executed for the same in 1653. See Ludlow, *Memoirs*, i, p. 340.

"The Earl of Westmeath, Lord Slane,[1] Sir Walter Dungan and divers other officers on the behalf of the enemy in arms in Leinster [and] the Lord Muskerry on the behalf of the forces under his command in Kerry and Carbery, have made application and are now in treaty with some of your officers, commissioned for that purpose, for terms for the said forces to submit and lay down arms. The result of which meeting, if it comes to anything, we shall communicate to your Lordships as soon as it comes to our hands.

"Since our coming to this place some loss happened to your forces and affairs here. Part of Captain Norwood's troop [of] horse in the Callough, and all Captain Paynam's[2] troop of dragoons near on the borders of Wicklow were surprised at grass, and Captain Crookhorne's troop of dragoons were by plain force taken, the men, being forced to forsake their horses, defended themselves, and killed some of the enemy attempting to force the place. Col. Grace, out of the fastness of Glenmalier, fell into Kildare, burnt the town, preyed the country thereabouts, and put some of the inhabitants to the sword. These successes heightened the enemy insomuch that Sir Walter Dungan, with 250 horse and 500 foot, marched into the baronies adjoining to Wexford, and took a prey of above 500 cows; but some of your horses being appointed to march into that country to join with Lieut.-Col. Throgmorton and his forces belonging to Wexford, on the last Lord's day in the

[1] This was Charles Fleming, twentieth Baron Slane. His father was William Fleming, who married Anne Macdonnell, daughter of Randal, first Earl of Antrim, and succeeded (on the renunciation of the title by his elder brother, Thomas, who became a Franciscan friar) as Baron Slane in 1625. He died shortly after the outbreak of the Rebellion in 1641 and was outlawed for treason after his death. Charles served under Ormond and after he left Ireland saw service on the Continent, where he died before the Restoration. He was succeeded by his younger brother Randal, twenty-first Baron Slane, who recovered the family estates.

[2] Paynam, or Paynaham, Capt. Henry, served under Ormond before 1649 (*Hist. MSS. Comm.*, 8th Rep., App., p. 591).

afternoon joined, being between the enemy and the quarters to which they were to march, and within an hour after their conjunction (being then in the whole 150 horse and 400 foot) they engaged the enemy, who had taken advantage of ground and stood in battalia to receive them; in which engagement (after a very sharp dispute) your horse at first being put to retreat, and the Irish foot coming to push-a-pike with your foot, who had no pikes, but were fain to club with their muskets, the Lord was pleased to appear for his poor servants, and, at the instant of time when all was given for lost, God turned the battle, and gave your men the execution of the enemy for five miles and until the night prevented further pursuit. There was slain of the enemy upon the place about 200, amongst which the Lord Killmoye's [1] eldest son was slain and divers other considerable persons. There were likewise Major Art Kavanagh,[2] two captains, three lieutenants, two ensigns, two quartermasters and twenty non-commissioned officers and private troopers taken prisoners, and above 100 good horses taken and the prey restored. There were of your men 21 slain and about 100 wounded, most of them by the enemy's pikes. This was indeed a mercy wrought by the immediate hand of God, our enemies themselves being witnesses and confessing the same.

"The Lord grant that by these manifestations of his love our spirits may be drawn up and our hearts set on work to praise his name. All the forces that are to take the field are ordered to march to their several stations, and some already on their march and the rest will be in the field within five or six days. The late coming of the provisions and want of money in the treasury to enable your forces to march puts us into great straits." Kilkenny, 6 May. *Ib.* ff. 92-4.

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[1] This was Pierce Butler, eldest son and heir of Sir Edward Butler, created Viscount Galmoy in 1646. He married Margaret, daughter of Nicholas, Viscount Netterville. His eldest son, Edward, succeeded his grandfather as second Viscount Galmoy, and, though declared a nocent Papist, was restored to the family estates by an act of grace. Lodge mistakenly asserts (*Peerage.* Ed. Archdall, iv, p. 48, note) that Pierce was killed at the battle of Lampston (? Lamberton, co. Wicklow) after quarter given by Capt. William Bolton in 1650.

[2] Either this is a mistake or Art Kavanagh was exchanged, for he was at large long after. See below, p. 259. Art Kavanagh, whom the author of *The Aphorismical Discovery* describes as a "Cid in arms," was cousin-german to Daniel Oge and Charles Kavanagh.

178. SAME TO THE COUNCIL OF STATE.

"We humbly present to your Lordships, with some explanations made by the Commissioners of the Articles of Galway and the concessions of the Galway men to those explanations. The main article, concerning their residence in the town and the enjoyment of their houses and estates, they as yet adhere unto, which will make the place very chargeable unto you to keep, until the Parliament's pleasure or your advice be known therein. Sir Charles Coote seems to be confident that the Galway men will declare, that if the Parliament order that no Irish or Papists be admitted to reside in any garrison in Ireland, that then they conceive themselves bound to observe such a law, and that they shall not insist upon their Articles to free themselves from such a general law. We humbly desire a signification of your pleasure in this particular. The townsmen by their Articles are to pay £5000, as a composition for their personal estates, and we have great need of the money; but if we should receive it, before we know your pleasure, we are afraid we shall thereby be constrained to confirm the Articles, and therefore we are tender of doing any act that may amount to a confirmation, until we receive your Lordships' advice (and yet this great sum and our great necessities are strong temptations unto us). In expectation whereof we rest." Kilkenny, 6 May. *Ib.* f. 98.

179. SAME TO CAPTAIN PIERCE.[1]

"Upon letters received from the Council of State we understand that Captain Sherwine and another ship in his company, are gone for the west of Scotland, which were formerly designed for the Channel between the north of

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[1] At this time Capt. Edward Pierce, Pearce or Piers, was in command of the *Primrose* frigate. A year later (11 March 1653) he obtained a lease for five years of all the forfeited lands in the barony of Dunboyne, co. Meath, on condition of keeping up an establishment for killing wolves and foxes. His dogs were to be three wolf-dogs, two English mastiffs, and a pack of hounds of sixteen couple, a huntsman, two men and a boy. As security for the performance of his engagement, he was to pay £100 a year additional rent, to be defalked in wolf and fox heads, and was bound to deliver up to the Commissioners of Revenue at Dublin 6 wolf heads and 24 fox heads the first year; 4 wolf heads and 16 fox heads the second year; 2 wolf heads and 10 fox heads the third year; and 1 wolf head and 5 fox heads in each of the two last years. Orders A/82, 42. ff. 685-686. See Hill, *Montgomery MSS.*, p. 117, note, and Prendergast, *Cromwellian Settlement*, p. 311. Piers was probably a younger son of Sir Henry Piers of Tristernagh Abbey, co. Meath.

Ireland and Kinsale, and thereupon we, having advice thereof, were directed to cause some of those ships about the west seas in Ireland to supply that defect; and therefore you are, upon receipt hereof, to ply (according to wind and weather) between Waterford and Drogheda, and if any enemy be on the coast, to give notice to the ports of Cork, Youghal, Waterford, Wexford and Dublin and upon the coasts of Wales and about Holyhead, that they come not without convoys; but you are not to go into Chester water or into any harbour (if not driven in by stress of weather). Your letter was opened that you might not receive contrary orders." Kilkenny, 7 May. *Ib.* f. 86.

180. Same to the Committee for Irish Affairs.

"The exceeding necessity your poor forces are brought to here, for want of the supply of money expected, (many of them being two months, and the general officers near eight months in arrear) calls for our utmost solicitation, in their behalf and desires, that money might be immediately sent over, without which they cannot possibly subsist in the field; and, to the end no time may be lost in this summer's service, we shall be enforced to take up a sum from the merchants here, within the monthly proportion designed for the forces, to enable them to take the field, and give our own Bills upon your Treasurers in England, which we desire you would order the payment of, and that they may give power in future to their Deputy here, in cases of extremity, to do the like, for want of which your affairs will meet with great inconveniency. We have received yours of the 27th of April last concerning the 600 recruit horses formerly written for, which, upon further advice with your officers, we conceive might be very useful; but perceiving, as yours imports, that the charge and trouble in bringing them from England will be extraordinary, and this country affording none, but what are already either in the hands of your forces (which were the last summer taken up from the country for contribution) or in the enemy's, and we know no way to obtain them but from those parties of the enemy, who are or shall come in upon articles, from whom we might buy them at reasonable prices for ready money, and request therefore that £3000 might be speedily ordered for that affair, part of which, at least, we shall take up here, as we see occasion to improve that way with the parties who have already agreed to submit." Kilkenny. 9 May. *Ib.* f. 99.

181. Ordered by the Commissioners that the Connaught assessment at £3400 *per mensem* be continued till 1 Nov. next ; viz. Co. Galway £2300, Town of Galway £400, Co. Sligo £200, Co. Leitrim £200, Co. Mayo £300. 10 May. Orders A/82. 42. f. 220.

182. COMMISSIONERS TO THE COUNCIL OF STATE.

"We are necessitated (for the enabling the forces to take the field) to give order to Sir Hardress Waller to take up at Limerick £3000 for supply of the forces within that precinct, which is to be paid to the Treasurers-at-War's deputy there, by him to be issued out for the use aforesaid and for no other use, and to be charged by Bills of Exchange upon the Treasurers-at-War payable at two months' sight ; which sum we humbly desire may be ordered by your Lordships to be punctually paid out of such monies as are or shall be appointed for the service of Ireland." Kilkenny, 11 May. Domestic Corresp. A/90. 50. f. 100.

183. PROCLAMATION BY THE GOVERNOR OF DUBLIN.[1]

"Whereas by divers ways and means it hath been endeavoured to hinder the supply of the rebels and Tories with provisions out of this city, and the quarters adjacent, which by the ill-affection and miscarriage of several persons hath proved ineffectual, and the Tories and rebels do still frequently receive relief, as is too apparent, by which means many robberies and murders are committed and the country very much disquieted, and the hopes for settlement retarded ; for prevention whereof in the future, I do hereby declare that no person or persons whatsoever shall, or may hereafter, carry or cause to be carried any provision of victuals, or any salt to any place on the south side of the river Liffey on the pain of the forfeiture of the said victuals and salt for the first offence, and for the second offence, as also for offending by carrying any provision to the enemy, or to be found without the lines, to be proceeded against by a Court Martial as persons that relieve and correspond with the rebels; and I do hereby require and authorise all officers and soldiers and all others to seize on all such provision of victuals and salt, and on all arms, ammunition, or other provision of war, that shall be met withal or found carrying unto any place either without the line, or in the quarters as are on the south side of the river Liffey in the counties of Dublin, Kildare, Wicklow and Carlow, and not to embezzle or restore it without direction from me, notwithstanding any pass or other pretence whatsoever, except the pass or licence under my hand or some other superior officer, or such as shall be appointed by me to give such licence." 12 May. MSS. T.C.D. F. 3, 18.

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[1] Col. John Hewson.

184. Ordered by the Commissioners that the assessments be continued till 1 Nov. next *per mensem*, viz. Dublin Precinct £3030, Limerick Precinct £2200, Kilkenny Precinct £1516. 5. 0., Wexford Precinct £600, Waterford Precinct £570. 1. 9., Cork Precinct £2944, Athlone Precinct £1300, Clonmel Precinct £2950, Total *per mensem* (excluding Kerry[1] and Ulster, but including Connaught) £18,510. 6. 9., *per annum* £240,634. 7. 9. 13 May. Orders A/82. 42. ff. 221-22, 231.

185. THE COMMISSIONERS TO THE PARLIAMENT.

"We mentioned in our last a treaty that was then began between the Earl of Westmeath and others, the principal officers of the enemy's party, with your servants here, which, after many disputes and difficulties, is now brought to an issue, and a copy of the Articles and declarations then passed we send here enclosed, which we do humbly present to your view and judgment; and whatever issue may be hereof, we can assure you the intentions and endeavours of all your servants acting therein was to do nothing that, in their judgments and consciences, might be displeasing to that great God, who hath wrought so many and so great deliverances for you and them, or that might prejudice the English interest. Had we had particular directions or qualifications from you, nothing should have been done otherwise than as you had prescribed; but God having put this opportunity into our hands, we held it our duty to make use thereof, considering the vastness of the charge in maintaining your forces, and that the forces here, almost all taken up in preserving garrisons and forts, and the enemy being driven out of all forts, hath nothing to do but to be in the field when they pleased, and then as they saw advantage, to retire to their bogs and fastnesses again, and in the meantime to commit stealths and plunderings to the walls and gates of your garrisons; and such is their number that at this present the Lord Muskerry, that commands the enemy in Munster is [600] [1] horse and [3000] foot, and some of his party is now before Dingle, which is the only hold you have in Kerry; and Clanricarde with the Connaught and Ulster forces are very considerable in the parts between Connaught and Ulster, which would require more forces than we could draw out to make considerable bodies against them, thereby to prevent the desolations and ruin they would make in your quarters, besides those forces of the enemy in Leinster, that have this year surprised many of your horse and driven away many cattle in several parts of Leinster; and withal we do not know how the enemy may receive encouragement and hopes of help if there should be any peace in foreign parts.

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[1] Kerry was afterwards assessed at £600.

"We shall only add that considering the treachery, wickedness and malice of the generality of this people, that your servants here must not lessen their vigilancy over them, and if their arms be laid down, as is hoped, and undertaken for, and the principal heads of that party, with the soldiers under their command, do go beyond seas, which is their purpose and desire which we shall endeavour to further, we do hope this will render this country entire into your possession, and to be settled and governed as God shall direct and enable you; and as we see the execution of this treaty we shall from time to time give you further account thereof, and do desire that your care in sending supplies, to enable your servants here to the remainder of the work yet here to be done, be not yet lessened, but continued, which by the blessing of God may crown all your former labours." Kilkenny, 13 May. Domestic Corresp. A/90. 50. *Ib.* ff. 102-3. *Enclosed.*

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[1] These figures from the letter sent, and now among the Tanner MSS., I owe to Prof. Firth.

185 (i). ARTICLES OF AGREEMENT MADE AND CONCLUDED THE 12TH DAY OF MAY 1652 BY AND BETWEEN COMMISSARY-GENERAL REYNOLDS, COL. JOHN HEWSON, COL. HIEROME SANKEY, COL. DANIEL AXTELL, COL. RICHARD LAWRENCE, COL. HENRY PRETTY, SCOUTMASTER-GENERAL HENRY JONES, ADJUTANT-GENERAL WILLIAM ALLEN.[1] CAPT. JOHN VERNON, AUTHORISED COMMISSIONERS BY THE RT. HON. LT.-GENERAL EDMUND LUDLOW, COMMANDER-IN-CHIEF OF THE PARLIAMENT'S FORCES IN IRELAND FOR AND ON THE BEHALF OF THE PARLIAMENT OF THE COMMONWEALTH OF ENGLAND OF THE ONE PART, AND SIR WALTER DUNGAN BART., COMMISSARY-GENERAL OF THE IRISH HORSE; LEWIS, LORD VISCOUNT CLANMALIER, SIR ROBERT TALBOT BART.,[2] SIR RICHARD BARNEWALL BART., COL. WALTER BAGENALL, COL. LEWIS MOORE AND THOMAS TERRELL ESQ., ON THE OTHER PART, FOR AND ON BEHALF OF SUCH PERSONS AS ARE NOW IN ARMS AGAINST THE PARLIAMENT WITHIN THE PROVINCE OF LEINSTER, UNDER THE COMMAND OF THE EARL OF WESTMEATH, AND FOR AND ON THE BEHALF OF OTHERS IN THE SAID ARTICLES MENTIONED AS FOLLOWING :—

" 1. The said Sir Walter Dungan Bart., Lewis Lord-Viscount Clanmalier, etc., for themselves, and in behalf of the persons before and after in these Articles mentioned, do covenant and agree as aforesaid, that all horses, arms, garrisons, ammunition and other furniture and stores of war, in the custody of the officers and soldiers of the Irish party, who are comprehended in these Articles shall be delivered up to the Lt.-General Ed. Ludlow, Commander-in-Chief of the Parliament's Forces in Ireland, or to whom he shall appoint, without any spoil or embezzlement, for the use of the Commonwealth of England, according to the times hereby given to the forces of each province respectively, viz. All the forces of the Province of Leinster to bring and deliver in their arms etc., by the 1st of June next following; the Lord of Muskerry and such of the forces of the Province of Munster, as signify their acceptation of these Articles to the officers commanding-in-chief in the respective precincts within ten days, to lay down arms the 4th of June next; the Lord of Mayo,[1] Col. Richard Bourke,[2] Col. William Bourke,[3] Major-General Taaffe,[4] Col. Garret Moore,[5] and other the forces in Connaught; the Lord Iveagh,[6] Philip M'Hugh O'Reilly, Lieut-General Farrell, Col. Miles Reilly[7] and other the forces in Ulster (signifying their acceptation of these Articles within twelve days) to lay down arms the 6th of June next; except what is hereafter excepted, viz. Each colonel of horse to have allowed five horses and three cases of pistols; each lieut.-colonel and major of horse to have four horses and two cases of pistols; each captain of horse three horses and one case of pistols; each lieutenant-cornet of horse two horses and one case of pistols, and to each quartermaster of horse one horse and one case of pistols; each colonel of foot to have allowed three horses and two cases of pistols; each lieut.-colonel and major of foot two horses and one case of pistols, and each captain of foot to have one horse. The Earl of Westmeath and Commissary-General Dungan to have each ten horses and five cases of pistols, Mr George Barnewall[1] (the Judge-Advocate) two horses and one case of pistols, the four commanders, viz. Sir Richard Barnewall, Col. Roger Moore,[2] Thomas Terrell Esq., and Lawrence Dowdall Esq.,[3] each four horses and two cases of pistols with swords to all, proportionable to the number of their horses.

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[1] Adjutant-Genl. Wm. Allen served in the Parliamentary Army from 1642. He belonged to the political party which regarded Ludlow as their leader, and is identified by Prof. Firth (*Clarke Papers*, i, pp. 430-433) with Wm. Allen the agitator. He was a commissioner for the surrender of Limerick in 1651 and also for the Kilkenny surrenders in 1652. He opposed Cromwell's assumption of the Protectorate, and was arrested in Devonshire in 1655 for " multiplying dissatisfaction." Being allowed to return to his post in Ireland he gave some trouble to Henry Cromwell, and in Nov. 1657 he resigned his commission. In 1659, he was, however, nominated by the Rump as colonel of a regiment of horse ; but being again arrested in April 1660, he was a year later set at liberty on giving security to leave the kingdom.

[2] Sir Robert Talbot of Castlesallagh, near Baltinglass, in co. Wicklow, was the eldest son of Sir William Talbot of Malahide, and elder brother of Peter Talbot, afterwards titular Archbishop of Dublin, and Richard Talbot, afterwards Duke of Tyrconnell. According to Clarendon (*Life*, ii, p. 362) he was the best of his family. He was restored with difficulty to his estate under the Act of Explanation, 1665.

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[1] Sir Theobald Bourke, third Viscount Mayo, was the son of Sir Miles, who died in 1649. Both father and son were excepted from pardon by the Act of 1652, and Lord Mayo, after his surrender, was tried for his share in the massacre at the Bridge of Shrule (Feb. 1642). Being found guilty, he was ordered to be shot and the sentence was accordingly carried out at Galway on 15 Feb. 1653.

[2] Afterwards sixth Earl of Clanricarde.

[3] Afterwards seventh Earl of Clanricarde.

[4] Lucas Taaffe was the third son of Sir John, first Viscount Taaffe. He commanded under Clanricarde in Connaught during the war, but was Governor of Ross at the time of its surrender to Cromwell in Oct. 1649. Subsequently he went abroad and served as colonel of an Irish regiment in Italy and Spain; but returning to Ireland at the Restoration he recovered his estate and died at Ballymote.

[5] Col. Garret Moore, of a county Mayo family (probably represented by the Moores of Moore Hall), served as major of a troop of horse under Ormond. He was included in the Articles of 12 May and surrendered with others of the Connaught forces on 14 July 1652. His estate was confiscated, but recovered by him at the Restoration.

[6] Arthur Magennis, third Viscount Iveagh. According to his own statement, from the time he was first able to carry a sword he used it in his Majesty's service at home and abroad. He was included in the King's Declaration of 1660 to be restored to his estate; but pending that event he suffered great privations (*Cal. State Papers*, Irel., 1662, p. 500).

[7] Miles O'Reilly was High Sheriff of the County of Cavan when the Rebellion broke out. He served on the Continent, but died apparently about the time of the Restoration and was buried at Chalons-sur-Marne.

"2. That in consideration hereof, the persons aforesaid (except such as are hereafter excepted) shall have pardon for life, and protection for themselves and their personal estates, they submitting themselves to all Acts and Ordinances of Parliament; and also such of them, as shall desire it, shall have passes to transport themselves and their goods unto any place beyond the seas in amity with the Commonwealth of England, within three months from the date hereof, they acting nothing in the interim to the prejudice of the Parliament of the Commonwealth of England, their forces or garrisons, and provided that the number of persons, that shall be agreed for to lay down arms, shall be ascertained and undertaken for.

"3. That the non-commissioned officers, troopers and gentlemen shall, in lieu of their horses, receive such moderate satisfaction in ready money, as by two chosen on each party to appraise them shall be agreed upon.

"4. That such of the officers as desire to transport themselves and their soldiers, to serve any foreign state in amity with the Commonwealth of England, shall have liberty to treat with any agent or agents for that end and purpose, as also (if they can so agree) to transport themselves and 6000 of the Irish party included in these Articles, within three months from the date hereof, from such ports, as the Lord Deputy or Commissioners of Parliament shall think fit, to any such places in amity with the Commonwealth of England as aforesaid, sufficient security being given that they be not transported to any other place to the disservice of the said Commonwealth. And the Commissioners on the behalf of the Commonwealth of England are hereby engaged to endeavour earnestly the procurement of licence for 6000 men more, of the number comprehended in these Articles, to be in like manner transported.

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[1] He was the younger brother of Sir Richard.

[2] Roger or Rory O'More of Ballina, co. Kildare, brother of Lysagh O'More, was the real author of the Rebellion. He was a man of extreme views, and threw in his lot with Owen Roe O'Neill; but he made little mark as an officer. He is said to have escaped from Inisboffin; but it is conjectured that he was killed in some obscure fight. See Life in *Dict. Natl. Biog.*

[3] Laurence Dowdall, the son and heir of Edward Dowdall of Athlumney, co. Meath, threw in his lot with the Confederates; but after the peace he was appointed Commissary-General by Ormond. He took lands in Connaught as an innocent papist and died before the Restoration. His son Luke who succeeded him managed eventually to recover Athlumney.

"5. That after the time appointed for the Irish party to lay down arms is expired, one month's assignation (according to the summer proportion of pay) shall be allowed to the forces, which shall appear and lay down arms as aforesaid, to be raised and paid out of such places and by such persons, as have paid contribution to them within three months last past.

"6. That as to the real estates of any comprehended in these Articles they shall have equal benefit with others under the like qualifications with themselves, in any offers that shall be hereafter held out by the Parliament of the Commonwealth of England.

"7. That the benefit of all or any the Articles aforesaid extend not to the exemption of any person from being questioned, according to the due course of law, who had a hand or were actors in any of the murders, massacres, or robberies that were committed upon the English and Protestants in Ireland during the first year of the wars, or any murders or massacres since the said first year committed by or upon any person not being in arms; nor to give protection to priests and Jesuits or others in Popish orders to live in the Parliament's quarters, or passes to them to go beyond seas, otherwise than as the Lord Deputy or Commissioners of Parliament shall think fit; nor the benefit hereof to extend unto such as have murdered any of the Parliament's party after quarter given.

"8. That the officers of the respective regiments, troops and companies shall give in a true and perfect list of all the officers, soldiers and others comprehended in the aforesaid Articles, as also of all the horses and arms to be delivered up: the Leinster forces to give in their list the 26th May instant; the Munster forces to give in their list the 28th May; and the Connaught and Ulster forces to give in their list the 1st June next ensuing.

"9. That all prisoners of the Parliament's army in Ireland, and all prisoners in the several provinces of Ireland belonging to parties laying down of arms as aforesaid, shall be paroled upon the engagement of their superior officers, and upon the aforesaid laying down arms the prisoners on both sides shall be discharged: this not to extend to such as are in these or have been in former articles excepted.

"10. That for the performance of these Articles sufficient hostages shall be given upon the signing hereof.

"11. For performance of all and singular the premisses the parties to these presents have interchangeably set their hands and seals, the day and year first above written.

"Hen. Owen, James Standish, Ed. Roberts, Slane, Jas. Barnewall, Daniel Kavanagh, Walter Dungan, Lewis Clanmalier, Robt. Talbot, R. Barnewall, Walter Bagenall, Lysagh O'More, Thos. Terrell.[1]

"We do hereby approve of, ratify and confirm the eleven Articles in this paper written and expressed and the explanation thereupon. Witness our hands and seals. May 12, 1652. [Signed] Westmeath." *Ib.* ff. 103-6.

185 (ii). At a Council of War held at Kilkenny 9th May 1652: the Lieutenant-General and the rest of the Commissioners of Parliament being present.

"Resolved, that the clause in the proposals which concerns such as were of the first General Assembly or the first Supreme Council shall be left out.

"That such of the Irish party being soldiers in arms, as have during the first year of the Rebellion besieged or stormed any towns, castles, or forts garrisoned and defended by persons publicly enlisted and entertained in arms and pay, as officers of war or private soldiers for or on the behalf of the English against the Irish, shall not for such acts only be questioned for life, as being guilty of the murders and massacres committed in the said first year.

"That such of the Irish party being soldiers in arms, as engaged against any field forces publicly enlisted, entertained in arms and pay as officers of war, or private soldiers for or on the behalf of the English against the Irish, shall not for such acts only be questioned for life as being guilty of the murders and massacres committed in the said first year.

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[1] The counterpart of this treaty, signed by Reynolds, Sankey, Axtell, Allen and Vernon, is printed in *Contemp. Hist.*, iii, pp. 94-96.

"That by the words 'who had a hand or were actors in the murders, massacres, or robberies that were committed upon the English and Protestants in Ireland during the first year of the Rebellion' is meant and intended such persons, as during the said first year of rebellion or before have contrived, acted, aided, assisted or abetted the said murders or massacres.

"We do hereby (as Commissioners appointed to treat and conclude) confirm these four Resolutions as qualifications to the Articles made with the Earl of Westmeath, Sir Walter Dongan and others. John Reynolds, Hierome Sankey, Wm. Allen, Hen. Jones, John Vernon." 9 May. *Ib.* f. 107.

185 (iii). The Explanations upon the Articles.

"In addition to that of the sixth article concerning real estates, we do promise faithfully and really to mediate with the Parliament to our utmost endeavours concerning the real estates in that article mentioned, that they may enjoy such moderate part of the said estates as may make their lives comfortable who live amongst us, or for the comfortable maintenance of the families of such of them as shall go beyond seas. And in the meantime, if any part of their said estates be at present not disposed of to any other *in custodiam*, they shall be put into the possession thereof, and continue therein till the pleasure of the Parliament be known, paying and bearing equal contribution and charges with the rest of their neighbours; and if it be disposed of, then, after the expiration thereof, they shall be put into the possession of it, and in the meantime they shall receive the rents and profits that shall be over and above country charges thereof payable.

"Upon the explanation of the articles about personal estates we do hereby declare that no officer or soldier comprehended in the said articles shall be impleaded or tried at law for any horses, cattle, money or other provision or free quarter taken by them by order of their superior officers, from any the inhabitants of this country, nor any matter or things committed or done by them as soldiers in the orderly and usual course of war; provided this extend not to free any of them from being impleaded for due debts according to due course of law.

"We do declare that it is the intention of the Commissioners of Parliament that all persons living in this nation of Ireland shall have the benefit of the Act of Parliament entitled 'An Act for the relief of the religious and peaceable people from the rigour of former Acts of Parliament in matters of Religion'[1] bearing date 27th September 1650. And we do further declare that it is their intention, and the intention of their ministers here not to compel any the Recusants in this nation to their worship or divine service contrary to their consciences.

"It is agreed that liberty shall be granted for the collecting the arrears of the last three months' assignations due to the forces comprehended in the Articles concluded on, the respective baronies being thereout allowed such dues for quarters, preys, or otherwise as they can justly challenge from them for that time. And the General Officers likewise, if their pay be not comprehended in the said assignations shall have liberty to collect the arrears of the last three months due to them out of such applotments whereout they were to be paid, they abating to the country the due claims from them due for that time; provided that no English Protestant be charged herewith, except such as were in that time contributors; and the officers of the respective precincts are to see to the equal collection thereof.

"The places of rendezvous, where the forces of Leinster comprehended in this Agreement bearing date the 12th May are to lay down arms, and to receive the assignations agreed upon, and places of safety to be appointed for their security, until the time of their transportation, and there to receive passes to return home for such as shall not be inclined to go beyond the seas:

"The Earl of Westmeath's regiment of horse and foot, Col. Fitzsimon's[2] regiment and Sir James Dillon's[3] foot, the Lord

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[1] See Firth and Rait, *Acts and Ordinances*, ii, p. 423.

[2] Col. Garret Fitzsimon after serving abroad returned to Ireland at the Restoration. He had the reputation of being a very capable officer and Ormond interested himself strongly in his behalf, though his religion proved a great obstacle to his preferment (*Cal. State Papers*, Irel., 1666, p. 191).

[3] Sir James Dillon, youngest son of Sir Theobald Dillon of Costello-Gallen, co. Mayo, first Viscount Dillon, was in command of a company of foot when the Rebellion broke out. For some time he tried to maintain a neutral attitude; but finally, throwing in his lot with the Confederates, he was appointed colonel of a regiment of foot, which, according to Ormond, was the only Irish regiment "which adhered to the King against all excommunications and intentions of

Dillon's [1] horse, County of Longford horse and foot—Mullingar. Col. Lewis Moore's regiment and two troops of horse—Maryborough.

"Sir Walter Dungan's regiment of horse, Col. Walter Bagenall's regiment of horse, Lieut.-General Hugh Byrne's [2] regiment of foot, Sir Thomas Esmond's regiment of foot, Col. Brian Byrne's foot regiment, Col. Daniel Kavanagh's [3] regiment, Col. Bagenall's foot, Col. Luke Toole's [4] foot—Carlow.

"Col. Grace's horse and foot, Col. Molloy's [5] foot regiment,

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the Nuncio and Irish clergy, when by their instigation the peace made by the Confederate Irish was as foolishly as infamously broken on their side." He was falsely reported to have been murdered in Catalonia in 1653, while attempting to withdraw the Irish regiments from the side of Spain to that of France. (Thurloe, *State Papers*, i, p. 619.) After the Restoration he received a pension of £500 a year.

[1] Thomas, fourth Viscount Dillon. See note, p. 243.

[2] Lt.-Gen. Hugh Byrne was the son of Phelim M'Hugh O'Byrne of Ballinacor, co. Wicklow, and brother of Col. Brian Byrne. He had seen service in the Low Countries when the Rebellion in Ireland broke out, and offering his service to the Confederates he was made lieut.-general to Preston. He fought throughout the war, and it was only when he recognised the hopelessness of the struggle that he accepted the offer of Government and was allowed to retire abroad. But his brother Brian, refusing to follow his example, continued fighting for some time with the Ulster rebels. After their capitulation and the capture of Sir Phelim O'Neill he went to Inisboffin, where it is uncertain what became of him.

[3] Col. Daniel Kavanagh, the son of Sir Morgan Kavanagh, was at school at Dublin when the Rebellion broke out, and being placed under restraint as a suspected individual he was only released on bail at the conclusion of the Cessation in 1643. He soon became noted as an active officer. He was present at Drogheda when the town was stormed by Cromwell, but succeeded in escaping to Carrickmacross. After Fitzpatrick's surrender he was one of those who took an oath that they would come to no agreement with the Government of the Commonwealth without the knowledge and consent of the Catholic Bishop of Leighlin (Edmund O'Dempsey). His brother Charles was, however, one of the pledges for the fulfilment of the Kilkenny Treaty, and though inclined to continue the war, he was induced by this fact to surrender and go abroad. He married a niece of Col. Lysagh O'More.

[4] Col. Luke O'Toole of Castlekevin, co. Wicklow, was one of the first to take up arms in his part of the country; but when the Leinster army was reformed in 1642 by the Supreme Council he was one of that number, who as having arrogated ranks to themselves were cashiered. His opportunity to distinguish himself came first when the war assumed the character of guerilla warfare. His name was included in the list of those excluded by the Act of Settlement from pardon for life and estate, and after vainly attempting to bribe Ludlow with a horse and a saddle worth £100 (*Memoirs*, i, p. 342) to grant him more favourable terms, he surrendered unconditionally, and being tried before the High Court of Justice at Dublin in January 1653 for murder (Hickson, *Irish Massacres*, ii, pp. 33-34), he was found guilty and executed "aged seventy-five or thereabouts."

[5] Col. Charles O'Molloy, a member of the old Irish or clerical party, was in command of a regiment of foot in 1651, and caused great annoyance to the Irish Commissioners by his activity. He was one of those who took the oath not to capitulate without the consent of the Bishop of Leighlin. He did not surrender on the Kilkenny Articles but went with Cols. Grace, Carroll and Gawly to Connaught; but the party was surprised on 20 June 1652. He and

Col. Carroll's [1] foot regiment, Lieut-Col. Brian Fitzpatrick's [2] and Col. Gawle's [3] foot and horse—Birr.

"The Lord of Clanmalier's foot, Lieut.-Col. Gerald Fitzgerald,[4] Major Connor [5]—Kildare.

"It is agreed that in case two persons on each side shall differ concerning the price of any horse, that then Commissary-General Reynolds or whom he shall appoint shall be umpire for one moiety of the horse, and the Earl of Westmeath, Sir Walter Dungan, or whom they shall appoint for the other moiety.

"That upon notice given to the commander of the respective quarters or precincts of the submission of the said parties and [6] the Earl of Westmeath or Sir Walter Dungan shall have sufficient power to give passes, which shall be allowed of until the time of laying down arms." Kilkenny, 12 May. *Ib.* ff. 108-10.

186. SAME TO MR SPEAKER.

"Since the writing of our other letter we thought it fit to send Capt. Vernon with this despatch, who was present at and privy to all the transactions of this Treaty, and can give you satisfaction in any particular you shall please to inquire of." Clonmel, 15 May. *Ib.* f. 116.

187. Warrant from the Commissioners to Col. Sankey, to apprehend the persons undernamed as guilty of the murders

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Grace managed to escape back into Leinster, and after holding out some time longer agreed, with the consent of Bishop O'Dempsey, to surrender and go abroad.

[1] Col. Daniel Carroll did not surrender on the Kilkenny Articles; but joining himself to Cols. Grace, O'Molloy and Gawly shared their defeat in Connaught on 20 June, and being run to earth finally submitted at Nenagh.

[2] Col. Brian McShane Fitzpatrick of Rathdowny, Queen's County, proclaimed a traitor by the Lords Justices on 8 Feb. 1642, was one of those who acquired notoriety during the last stage of the war. For some time he acted in harmony with the extreme party in Leinster, but becoming suspected he was surprised by Grace and carried off a prisoner to Inisloghcurtra.

[3] Col. Tibbot Gawle or Gawly appears first to have attracted attention by the way in which he surprised Athlone in 1646 in the interests of Rinuccini. He was then only captain, but being speedily promoted to the command of a regiment of foot, he joined himself to Grace after Fitzpatrick's capitulation; but was killed in the skirmish of 20 June 1652.

[4] See note, p. 157.

[5] Major Teige Conor, of the O'Conors of Offaly, described by the author of *The Aphorismical Discovery*, as "a young slip of a boy, but a sour piece of flesh for the garrison of Geashill," in 1641, speedily improved his reputation as an active leader. He was in Drogheda when the place was stormed by Cromwell and was left for dead on the ground, but recovering, he was made major to Col. Charles O'Molloy, and shared his fortunes, but after the defeat in Connaught he surrendered.

[6] *Sic*; a mistake of the copyist.

done at Cashel in 1641, viz.—Phillip Rian of Gasansoe,[1] William Magrath of Bleane,[2] Wm. McShane [O'Dwyer] of Crossaile,[3] Jas. Roch of Balligriffin,[4] Philip McThomas [O'Dwyer] of Ballintine,[5] Edm. O'Hiffernane of Ballynehinsye,[6] Hugh McPhil. Ryan of Clanoulty,[7] Hugh McShane Rian, of the same, Philip McBrien, Edmund Alton, Charles O'Dwyer of Coole Innre,[8] John O'Dwyer, Donnough O'Dwyer, Tibbot Butler of Killrofkeahane,[9] Richard Butler of Ballinekill,[10] Tho. Purcell, John Butler of Woodenstowne,[11] Ulick Boorke [Bourke] of Lislowry,[12] Walter Carragh *alias* Bourke of Balliglasse,[13] James Butler of Ruskogh,[14] Tho. Butler of Derry-Clony,[15] William McDubay [?M'Duffy].[16] 21 May. Orders A/82. 42. f. 234.

188. Ordered by the Commissioners that if any person whatsoever shall, after 30th June next, bring or cause to be brought to the Lord Deputy-General of Ireland, or to the Commander-in-Chief within the respective precincts in Ireland, the persons or the heads of the persons hereafter named, such person and persons shall be duly paid for such their service the respective sums of money following: *i.e.* for the person or head of Lord Muskerry [17] £500, of Lord Mountgarret [18] £300, the pretended bishop of Limerick [19] £300, the pretended bishop of Cork [20] £300, Colonel

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[1] Probably Garanroe, near Thurles.
[2] Blane, near Moneygall.
[3] Barony of Kilnamanagh.
[4] Near Golden.
[5] ? Ballinatona, near Clogheen.
[6] Ballynahinch, in co. Limerick.
[7] Clonoulty, near Cashel station.
[8] ? Cullen.
[9] ? Killoskehan, near Templemore.
[10] Ballinakill, near Roscrea.
[11] Between Caher and Cashel.
[12] Perhaps Lisloran, near Roscrea.
[13] Near Tipperary.
[14] Rusca, near Caher.
[15] Barony of Clanwilliam.

[16] A number of the above-mentioned individuals were arrested and tried for their share in the "massacre" at Cashel before Justice Donnellan in Nov. 1652. Several—viz., Lt.-Col. Donough O'Dwyer (brother of Col. Philip O'Dwyer), Theobald Butler, Hugh Ryan, and Ulick Burke—were convicted and executed on 24 Nov. on the gibbet in the wall of the court-house at Cashel. James, Piers and Thomas Butler were tried at a subsequent assize and executed on 10 May 1653. A discussion of the "massacre" at Cashel would be out of place in a note here; but the reader should compare the documents collected by Miss Hickson (*Irish Massacres*, ii, pp. 40-46; 240-254) with what Carte says (*Life of Ormond*, i, pp. 265-267). My own opinion is that the "massacre" here, as in many other places, was provoked by the overbearing attitude of the English military officials towards the Irish.

[17] Donough MacCarthy. Note, p. 47.

[18] The Lord Mountgarret here meant was no doubt Richard, third Viscount, though as a matter of fact he had died some months previously; but his name was included in the Act of Settlement as debarred from pardon from life and estate. See *Lodge Peerage*. Ed. Archdall, iv, p. 49.

[19] Edmund O'Dwyer, who, having escaped from Limerick in a soldier's dress, joined Muskerry and afterwards fled abroad, and died at Brussels in 1654. He belonged to the Ormondist party.

[20] Robert Barry.

Richard Grace[1] £300, Lieut.-Col. O'Doyne[2] £100, Col. Florence Fitzpatrick[3] £200, Lieut.-Col. Carroll £200, Lieut.-Col. McEgan[4] £100, Col. Murtogh O'Brien[5] late Commander-in-Chief of the forces in Clare £200, Lieut-Col. Fitzgerald £150, Col. John Condon £200, Edmund Fitzgerald of Ballymartyr £200, MacCarthy Reagh £200, Major Lawlor[6] £100, Ferriter[7] of Ferriter's Fort £100, Col. Edmund Fitzmaurice[8] £200, Col. David Roche[9] £200, Col. O'Molloy £100. And in case any person of the Irish nation, who have borne arms against, or been in opposition to the Parliament or Commonwealth of England, shall in pursuance of this Declaration bring, or cause to be brought the person or heads of the persons aforementioned or any of them to the said Lord Deputy or any of the said commanders, according to the tenor of this Declaration, such person not being a priest or Jesuit or of the Popish clergy, nor guilty of the murders or massacres perpetrated on the English and Protestants, shall duly receive the rewards aforesaid, and shall be received into protection and have pardon for life. 22 May. *Ib.* ff. 238-9.

189. THE COMMISSIONERS TO THE COUNCIL OF STATE.

"It having pleased God to deliver into our hands the garrison of Dromagh,[10] before which the forces under Sir Hardress Waller's command, designed to march into Kerry, were engaged, the said forces are now free to prosecute that service; but finding upon serious consideration at a Council of War that there is a necessity of sending along with the said forces one month's pay, not to be issued out until they are marched into Kerry, and likewise £500 to send along with the said forces to defray incident charges, we thought it necessary to give order for the taking up (of several merchants here) £3000 for that purpose, which we humbly desire may be ordered by your Lordships to be punctually paid out of such monies as are or shall be appointed for the service of Ireland, at two months' sight." Cork, 29 May. Domestic Corresp. A/90. 50. f. 128.[1]

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[1] Note, p. 49.

[2] Probably the same person as Lt.-Col. Richard Dunne. See p. 258.

[3] Col. Florence M'Shane Fitzpatrick was the father of Col. John. See above, p. 31, note.

[4] Lt.-Col. M'Egan had been Governor of Clare Castle at the time of its surrender to Ludlow. He afterwards joined Muskerry in Munster.

[5] Note, p. 46.

[6] Probably Major Donough Lalor.

[7] This was Capt. Pierce Ferriter. He was caught, tried and executed. His son Dominick recovered at the Restoration.

[8] Col. Edmund Fitzmaurice served with Muskerry in Munster. He surrendered with the rest at Ross on 22 June 1652.

[9] Note, p. 46.

[10] Dromagh Castle lies between Mallow and Killarney.

190. SAME TO THE COUNCIL OF STATE.

"Since the writing of our last to your Lordships, wherein we have advised that we were enforced to take up £3000 for the forces designed to march into Kerry, we have been necessitated to take up £300 more of Mr Robert Southwell[2] of Kinsale (for the buying of carriage horses for the train, and for other incidents for the carrying on of that service) and have caused the same to be charged upon the Treasurers-at-War at two months' sight, which we humbly desire may be paid accordingly." Cork, 1 June. *Ib.* f. 129.

191. SAME TO COMMISSARY-GENERAL REYNOLDS.

"We received yours of the 29th May last from Athlone, and thereby those enclosed to the Lieut.-General. We do understand the motions of the enemy in those parts, and do fully approve of those counsels and ways by you mentioned to strengthen our parties, and do hope there will be a readiness to give obedience thereto. As to the enemy in these parts, since the reducing of Dromagh, the only place of strength the enemy held in this county, the Major-General and some other officers have come to this place to meet with the Lieut.-General, in order to strengthen their party, which fell short of expectation, and to make provisions for the further service into Kerry; and being here last Sabbath day, there came a doctor with a letter to the Lord Broghill, desiring thereby a treaty, but the doctor said, if that pardon for life were granted to the Lord Muskerry and liberty to transport 5000 men, to other things they would submit, and a positive answer was to be returned on this day which came accordingly; but in the answer they do again, upon the matter, insist on a new treaty, and to have pardon for life, freedom for their religion and enjoyment of two parts of their estates. But the doctor, that brought the letter, saith that the enemy is divided, and part of them are at council in Kerry, and the Lord Muskerry with another party is still in Ross and doth desire our party may appear, and he pretends that he for his part will submit, and 'tis by him hoped on the appearance of our party that that party with him may be brought to a submission. The headquarters is this night at Clanturk,[1] within seventeen miles of Ross in Kerry, and the Lord Broghill with his doctor will be there to-morrow. What the issue will be time will shortly discover, and you shall have advertisement by the first." Cork, 3 June. *Ib.* f. 135.

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[1] Articles of Agreement for the surrender of the garrison of Dromagh between Commissioners appointed by the Rt. Hon. Major-General Sir H. Waller, viz. Lieut.-Col. Nelson, Major Warden, and Commissary Yardel on the one part and Commissioners appointed by Capt. Hugh O'Keeffe, Governor, viz. Capt. Charles MacCarthy, Mr Hugh O'Keeffe and Mr Naughten on the other part the 23 of May 1652.

1. That Capt. Hugh O'Keeffe shall deliver to Major-General Sir H. Waller, or whom he shall appoint, the garrison of Dromagh with all the utensils of war to-morrow morning by seven of the clock.

2. That in consideration thereof, the Governor with all the Castle, except such as are hereafter excepted, shall march away with their proper arms, with matches lighted, bullets in their mouths, twelve shot of powder, and four days' provision for their march.

3. That so many of the said persons as shall desire protection shall be admitted thereto upon the same accompt with the rest of the country, they now delivering up their arms.

4. That the Articles shall not extend to any person or persons that shall be convicted of murders or massacres since the first year of the Rebellion, nor to any person or persons that have served the State since the coming of the Lord Lieut. Cromwell.

That Capt. M'Carthy and Mr Hugh O'Keeffe become hostages for the performance of the above-mentioned Articles. (Signed) Charles Carty, Hugh O'Kyeeffe, Edm. O'Naghten. Articles of Capitulation, f. 72.

[2] Robert Southwell was the son of Anthony Southwell who came to Ireland in the reign of James I, and having acquired considerable property in and about Kinsale died there in 1623. Robert followed in his father's steps, and having been of service in provisioning Prince Rupert's fleet he was condemned to forfeit one-fifth of his property; but showing himself as willing to assist the Commonwealth he was taken into favour and in 1657 he was elected sovereign of Kinsale. See Life in *Dict. Natl. Biog.*

192. SAME TO THE PARLIAMENT.

"By our last of the 13th of May from Kilkenny, sent by Captain Vernon, we gave you account of the treaty concluded on with the Earl of Westmeath and the Leinster officers of the enemy's party. Since that, we understanding that the Lord of Muskerry and his party in Kerry, that were very considerable, did not accept thereof, but did expect some better terms, the Major-General and the Lord Broghill drew to Dromagh, the only considerable castle the enemy held in the County of Cork, and was indeed a strong and secure hold for them; but by the blessing and help of the Lord that was rendered to you, of which the Lieut.-General gave you former account from Youghal; and finding that party of ours, that reduced that place, not to be sufficient for reducing Ross, where the strength of the enemy lay, upon debate and consideration with Sir H. Waller and divers of the officers at Cork, it was resolved to draw out what forces could best be spared from these parts, to march into Kerry; and having gotten what supplies were necessary and could be had, they marched hence to Mallow and did expect to be at Ross in Kerry on Friday[1] the 4th inst. Since their departure from us we do hear that there was some distraction amongst the enemy at Ross, so as the clergy party and such as adhered to that interest drew out of Ross; but my Lord Muskerry and such as stood to him do keep in Ross. What may be the issue is not known.

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[1] Probably Kanturk, though the distance is more than seventeen miles.

"The greatest body of the enemy is gathered together about Ballyshannon in Ulster under Clanricarde, and by letters of the 30th of May from Commissary-General Reynolds, from Athlone, and by others, we do understand that the enemy have besieged Ballyshannon[2] (a house of the Lord Folliot's) and with two guns have made batteries against it, and having been two or three times repulsed, at last have gained it and burnt it, before Sir Charles Coote could come to relieve it, and they have also taken the castle of Donegal and do lie in the County of Donegal and all the enemy's forces of Ulster and Connaught are there conjoined. But Sir Charles Coote with his own party and part of Commissary-General Reynolds' party is in pursuit of them on one side, and Col. Venables with his party on the other side; and Commissary-General Reynolds, with 100 horse from Col. Sankey, is also marched up, and orders sent to Col. Hewson to draw down that way also. It is hoped through the help of the Lord they shall be enabled to find out that enemy and to engage with him.

"What horse and foot of the Leinster enemy do come in we cannot give any account as yet, having not received ourselves any account of the same, only Grace's party, which did infest your quarters in Leinster, most of his horse are come in and submitted, and himself with 12 horse, and about 70 that marched before, are gone to Clanricarde, and his foot, being in all about 1000, are at present dispersed, but do lie scattered in the woods and bogs, and your forces in these parts do daily hunt and attend them. This is the present posture of your forces here, and in all parts their hands are full ; and we hope you will not be unmindful to continue your care of providing for them. The plentiful and good provisions you have formerly ordered to be sent hither are for the most part all come hither, which is a great comfort to the poor soldiery, and we do wish we had more of the intended recruits, such of them as are come already being very able and fit for your service, and were the residue, that are appointed, come over (before the summer be too far spent) it would much [advance] your affairs as now they stand. We hear every day of sad losses by the spoilings and piracies done by the French and other pirates at sea, and we cannot hear of any of the Parliament's ships between Kinsale and Derry, save only Captain Sherwine, who is commanded hence for Scotland, and Captain Pierce, who hath been out eighteen months, and not very fit for service as he saith, who is gone to convoy some vessels with provisions to Limerick, as we hear." Cork, 5 June. *Ib.* ff. 136-7.

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[1] The letter in the Tanner MSS. printed in Ludlow's *Memoirs*, i, App., p. 522, says "Sunday the 4th inst.": as a matter of fact the 4th was Friday.

[2] Ballyshannon was the title taken by Sir Henry Folliott, who received a grant of 1500 acres land in co. Fermanagh as a servitor-undertaker in the Ulster plantation and was created Baron of Ballyshannon on 22 January 1619.

193. SAME TO THE COMMISSIONERS AT BELFAST.

" . . . We have considered of the country's petition, and do very well allow of the answers given by you to the same, and have, in order thereunto, sent you enclosed an order for the transportation of oxen and steers, and do hereby further authorise you to license the transportation of colts, grain and all other commodities which the country affords, according to the restrictions mentioned in your letter, desiring you to take special care that the licences you grant in this kind do not reach to the impoverishing of the stock, or rendering a scarcity of grain, victuals or other commodities in the country, and also that the customs and other dues to the State be punctually paid ; and whereas the custom imposed upon horses, mares and colts is according to the Book of Rates in England, which we hold to be merely imposed because of restraint, we allow you, in that case, only to demand custom for colts, according to the former Book of Rates established in this nation. And as for the widows, whose husbands you say were killed in the Parliament's service before the date of our Order, we do hereby authorise you to take their cases into consideration, and give them allowances according to our said Order; provided that you make no allowance to any widows or orphans in this kind, whose husbands were not slain in the Parliament's service since the Lord Lieutenant's coming into the country in August 1649. . . ." Cork, 8 June. *Ib.* f. 142.

194. SAME TO THE PARLIAMENT.

"Since our last we have received information from Col. Venables concerning some execution done on the Irish rebels by Sir Charles Coote, and his regaining Ballyshannon[1]; but

[1] Ballyshannon surrendered 26 May. Articles concluded and agreed upon by and between Col. William Reeves, Lt.-Col. Tristram Beresford and Major Robt. Ormsby, on the behalf of the Rt. Hon, Sir Ch. Coote, Kt. and Bart., Ld. President of Connaught on the one part, and Major Brian O'Rourke, Capt. Thomas M'Enward [*i.e.* Mac an Bhaird or Ward] and Lt. Roger Merlicke on the behalf of themselves and the rest of the commanders, officers and soldiers in the garrison of Ballishannon on the other part for the surrender of the said garrison the 26th May 1652.

1. It is concluded and agreed by and between the said parties that the house, castle and garrison of Ballishannon, as it now is, without demolishing or slighting, shall be surrendered to the Rt. Hon. Sir Ch. Coote, Ld. President of Connaught, or whom he shall appoint, for the use of the State of England by twelve of the clock to-morrow morning, together with all the arms, ammunition, artillery, provisions and other furniture of war thereunto belonging (except hereafter excepted) in consideration of the Articles hereafter mentioned.

2. It is concluded etc. that the said Major Brian O'Rourke and the rest of the commanders, officers and soldiers, and all other persons whatsoever, now in the garrison of Ballishannon, shall have quarter for their lives, and liberties, to march away with their arms, bag and baggage, colours flying, drums beating, matches lighted at both ends, bandoliers full with powder or six shots of powder to each musketeer, with ball proportionable and a fathom of match, together with their wearing clothes without molestation, and to carry with them six quarts of meal for each soldier; provided the said six quarts of meal apiece exceed not the fourth part of the provisions belonging to those in the said castle, and liberty to carry with them all their cows, oxen and horses that they brought with them to the said garrison; provided also that they carry nothing with them but what properly belongs to them, except the said provisions, and that they shall have a sufficient convoy with them to Bundowis [near Bundoran].

3. It is concluded etc. that the Major Brian O'Rourke and the rest of the commanders, officers and soldiers now in the said garrison shall have a month's time to make their election either to receive protection, or transport themselves to Spain, they laying down arms within the said month, and in consideration thereof they shall have liberty during the said month to eat and drink and live

the full and certain particulars come not so to us as we could desire, there having been two packets lately intercepted coming to us; but we hope God will still please to own his servants, and his will and workings shall appear to be glorious. Yesterday we understood from the Lieut.-General that the Lord Muskerry and his party are fallen off from their submission, it not being granted to them to have pardon for such murders, as are done on English and other Protestants in their castles during the first year of the Rebellion, so as your poor servants there do find it a difficult work, and till preparations be made for an attempt on the island by water, there can be no issue expected, and in the meantime the forces there are hunting the enemy in the woods and rocky mountains." Cork, 9 June. *Ib.* f. 146.

195. SAME TO THE LIEUTENANT-GENERAL.

"We have now sent you what men and provisions could be got in these parts; and the distance of the places from whence they came, and scarcity in these parts have made the time long before all could be in readiness. The particulars you will have delivered to you. We have gotten Mr Chudleigh to come along with them, who is employed here by the State for the naval business, being formerly a ship carpenter, but

with their friends; provided in the meantime they act nothing prejudicial to the State of England.

4. It is concluded etc. that such wounded men now in the said garrison, as are in a capacity to be removed thence, shall have liberty to depart to any other garrison or holds, and also that such of the said sick and wounded men, as are not able to remove, shall have liberty to stay in or near the said garrison, and shall be provided with chirurgeons till the recovery of their health, and shall after enjoy the benefit of this capitulation in the same manner as the rest comprehended in the said Articles, and that in the meantime such chirurgeons and other necessary attendants, as shall be left with the said sick and wounded men shall be protected, and have liberty to furnish them from time to time with such necessaries as they shall stand in need of.

5. It is concluded etc. that such of Col. Hugh O'Rourke's regiment or belonging to any other officer in the said Castle (who are now in arms) as shall signify their acceptance hereof by laying down arms at or before the 6th of June next, shall enjoy the benefit of the 2nd article; provided that those Articles extend not to any that had their hands in any murders, massacres, or robberies of English or Protestant people in the first year of the war.

6. It is concluded etc. that Capt. Thomas M'Enward, Lt. Morris M'Keane and Ensign Con O'Rourke be this night delivered hostages for performance of the Articles. In witness whereof the said parties have hereunto set their hands.

Rog. Multch,[1] Thomas M'Ward, Bryan O'Rourke. Articles of Capitulation, ff. 73-4.

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[1] Probably Multch and Merlicke are corruptions of Merrick.

is one of good estate and good repute amongst the workmen, who are the more willing to go because he goeth. We think you will not have the like in giving directions and ordering the making of boats or bridges etc. Most of the materials now sent came to us by his means. We have delivered him £100 on account, which you may call from him as you see cause. He desires you will secure the poor workmen whilst they are in the service, and send them with a convoy at their return.

"As for news out of the north or Leinster, we refer you to the enclosed [wanting], and we send you our last packet out of England, which we hope is not miscarried, and thereby from Mabbot[1] we hear of an order of Parliament that there shall be no Lord Deputy, but order is given to the Lord-General to give him power as Commander-in-Chief; but the principal matter these letters mention is the fight[2] between our fleet and van Tromp in the Downs, they having 42 and we 18; but it pleased God we lost no ships; but took two and sunk one, and the rest went away. This is confirmed to us several ways, and from this, and the consideration of the many pirates now in the Channel, and that we hear from Wexford that they are blocked up, and that there is no Parliament ships on this coast to clear the Channel, and that[3] we have ordered the Captain of the *Expedition* to return forthwith, after the vessels are put into harbour, and to deliver one or two months' victuals to the *Whelp*, that shall stay there as you shall order, and we desire you to order the *Hector* to come also into the Channel to ply to and again to secure trading. As to yourselves, you know how little we can do without you. We purpose to-morrow to be at Cork and to stay there at Youghal till the end of the next week, before which time we hope we may hear of your return, if not, we shall go to Waterford and Kilkenny and thence to Dublin. In our opinion we do humbly advise that after boats and materials are come to you, and you have put things in a good posture there, that you leave those affairs to the Major-General, and we believe that your presence will be of more use near the midland, where your presence may be of more service to the public as opportunity shall be offered. The enemy we hear is broken into this county two ways. Many things here are out of order. We have sent you and the officers a tun of French wine and four rolls of tobacco to the soldiers. We desire you to open a way for intelligence between you and us and hasten your coming to the south parts, and thus committing you to the gracious protection of our Heavenly Father, desiring his presence may be with you, and you under his wing, and that he would guide you with his own counsel, desiring the remembrance of ourselves and humble service to the Major-General and the rest of our dear friends with you.

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[1] Gilbert Mabbot, brother-in-law of Sir Wm. Clarke. After the Restoration he and Clarke obtained a grant as licensers for the sale of wines and spirits.

[2] 19 May 1652.

[3] *Sic*; but the sense requires the omission of these words.

"*P.S.*—Major Wallis[1] wrote to us last night that Murtough O'Brien, with 200 horse and about 300 foot is come out of Kerry, and joined with Gerald Fitzgerald, who hath the like number of horse and foot, and are not far from Macroom between that and Muskerry mountains. The Lord Broghill went last night to Major Wallis, who we hope by the blessing of God, will attempt something upon the enemy. Colonel Sanders writes that Condon[2] is come out of the Galtees, over the Blackwater towards Tallow; but we hear of no considerable strength in those parts to oppose that enemy." Kinsale, 15 June. *Ib.* ff. 151-3.

196. SAME TO MR STANDISH.

"The service of reducing Kerry is like to be a work of time and difficulty, the enemy having absolutely refused the conditions tendered unto them, and which they seemed inclinable first to accept, so as now all fitting means attainable by us are to be used for the effecting of that service; for which end we have caused materials for the making of two pinaces of force, and ten other boats for the transportation of men into the Island of Ross, and likewise provided five or six boats more ready made, each of which boats will carry 50 men, all which, together with about 40 sawyers and carpenters with smiths and other artificers proportionable, are this day under sail, and we hope will be in the Bay of Dingle within these two days at furthest. While our affairs are in this posture in Kerry there can be nothing expected from thence for the maintenance of our forces, one half of the said county, being conceived necessary (for the more effectual carrying on of this service) to be excluded from protection, is so declared, and therefore we desire you to provide two months' pay for the said forces, without bread, which is estimated to amount to about £5000 and £500 to defray incident charges, and to cause the same to be forthwith in a readiness for them at Limerick, that from thence it may be conveyed to Dingle. . . ." Kinsale, 15 June. *Ib.* ff. 153-4.

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[1] Major Peter Wallis had been sent to assist Broghill in reducing Muskerry. In 1659 he adhered to Ludlow; but was pardoned at the Restoration.

[2] Col. John Condon, see above, p. 207.

197. Same to Clanricarde.

"Yours of the 3rd of June was delivered to us at Cork the 17th inst., and as to the considerable forces therein mentioned gathered together for your reception, and your powerful union with other forces for the recovery of the nation, and by arms to obtain conditions for themselves, and those different duties in your Lordship to discharge the high trusts and authorities reposed in you, that are not to be so freely exposed to hazards and affronts, as by your Lordship are therein expressed, we have little to say thereto; but, notwithstanding all such gatherings together, authorities and combinations, shall go on in discharge of that duty committed to us, to take all opportunities God shall please to put into our hands to revenge the innocent blood that hath been spilt in this nation, upon the actors thereof, and on all such as, after so many warnings to them given, do still abet and justify those murders and massacres, and withhold the authors and actors therein from the hand of justice. And as for provision to be made for such as are still in arms with you by a new treaty, we do not hold it safe and consistent with the present posture of affairs to entertain further treaties than what was lately agreed on at Kilkenny, whereof we doubt not but your Lordship hath had notice, and your Lordship and those now with you might have taken advantage thereof. And for such as have not in time submitted thereto there is still power left in all Commanders-in-Chief in the several precincts to accept of and receive into protection all that shall lay down arms and submit to that power God hath placed over this nation before the 1st July next ensuing, and such as are not guilty of the said blood and massacres, whose hearts God shall incline thereto, and shall timely submit, shall enjoy such terms of favour as the Parliament shall hold out to others of the like qualification. The acceptance or refusal whereof we leave to the consideration of your Lordship and such others of your party as are now with you, and do rest, My Lord, your servants." Cork, 18 June. *Ib.* f. 155.

198. SAME TO COLONEL AXTELL.

"The Lt.-General being now so far distant from us in Kerry, in attending the motions of Muskerry and the enemy in those parts, and understanding the gathering together of the enemy about Cavan in the north, and how Sir Charles Coote and the Commissary-General and Col. Venables, with part of the Leinster forces, besides four troops and 800 foot lately sent from Col. Hewson, are all in attending the motions of that enemy, and understanding how that Grace and his party, finding little rest in your parts, may make some incursions over the Shannon or about Athlone, while those forces are employed elsewhere, we do desire you that you would have a watchful eye upon Grace, and what other part of the enemy may gather in those parts, and to give what assistance you can unto our weak garrisons at Athlone and other parts about the Shannon, and to secure the quarters as well as you may from those incursions of the enemy, which we do hope you may be enabled to do by the late addition added to you and the present security of your quarters. As to the making of more garrisons you know what charge it will be, and how the forces thereby are hindered from field service, and therefore desire that what is of necessity only may be done therein and that with advice with Col. Hewson or Col. Sankey; and as to the destroying of corn, considering the great scarcity is like to be of corn by reason of the present drought, both in England and other parts, as well as this nation, and the late breach between us and the Hollander, we desire that such corn may be only destroyed as may be of use to the enemy only, and cannot be brought into or near our garrisons, or be made use of for our quarters. . . . As to Fitzpatrick's horse, you may do well to be informed from him by what authority he keeps them up, the time appointed him to keep them together (as we do remember) being out some time since, and of any other agreement we are ignorant. . . . The Lt.-General and his party last Sabbath fell on a party of the enemy, and killed fifty or sixty and took a good prey of horse and foot. The last Wednesday the Lord Muskerry did write a letter to renew the treaty; but he is not like to have what was formerly offered. There are many provisions sent them from Kinsale, which, by the blessing of God, will enable our friends there to hasten the work." Cork, 19 June. *Ib.* ff. 156-7.

199. SAME TO THE LORD BROGHILL.

"Yours of the 20th inst. came this morning safe to our hands, which gave us great cause of rejoicing, in that it hath pleased God to make our forces so successful against the common enemy. Yesterday we received a letter from Limerick, intimating that Col. Ingoldsby[1] was gone towards Portumna, where the enemy had burnt the town and besieged the castle, so that our letter could not overtake him, nor is it to be expected he should come to the place appointed. This account we despatched the last night to your Lordship that you might dispose of affairs accordingly. As for the monies we cannot tell what to advise until we hear and receive your Lordship's further resolutions concerning it. We hear that Col. Clarke's regiment[2] is arrived safe at Waterford, which is all at present we have to communicate." Cork, 21 June. *Ib.* f. 161.

200. SAME TO THE LIEUTENANT-GENERAL LUDLOW.

"Yours of the 16th came safely to us, and we hope ours, with the ships and provisions from Kinsale, are also come to you. We had letters from the Council the 1st June that Col. Clarke's regiment should come forthwith from Bristol, which we hear did last Saturday come to Waterford, and upon advice here we have sent Col. Lawrence to send that regiment to Tallow in the County of Cork, there to receive further orders, and we desire you to send us your pleasure, how many you will have, or how you will dispose of them. We have ordered that they have arms, tents, a week's victuals and one month's pay, and that Mr Standish take care for their future pay equal with others. The report here is they are 1500; but, if there be above 1000, we have ordered those above 1000 be sent to Col. Sankey. The Council sent us word that 1500 of the Deputy's regiment should come to Chester, which we hope is done likewise.

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[1] This was Col. Sir Henry Ingoldsby, brother of Sir Richard. He came to Ireland with Cromwell, and in 1661 was returned M.P. for co. Clare.

[2] Col. John Clarke's regiment was sent to Ireland by order of the Council of State (Nov. 1651), for the purpose, Ludlow (*Memoirs*, i, p. 324) asserts, of promoting Cromwell's designs rather than for any real need from a military point of view. It sailed about 1500 strong in June.

" Sir Charles Coote the 3rd inst. in siege of Sligo and is near a conclusion. Col. Venables and the Commissary-General are joined and have sent for the forces lately sent to Finnagh [Finnea] viz. four troops and 800 private foot-soldiers. Grace is driven out of his fastnesses and is joined with Bourke, and both, about 2000, have burnt Portumna town, and the 16th were before the castle. Col. Ingoldsby is marched to relieve them there. We sent last week to Col. Axtell to have an eye that way, and we hope Col. Sankey will have the like. The Lord Broghill, with Major Wallis, after twenty miles' march fell on the rear of the enemy within six miles of Macroom, took about eighty horse, slew about forty, took the lieut.-colonel that did head that party and some few other prisoners and rescued 200 cows; but the enemy got away in the mist. The Council have ordered £40,000, and given us power to take up £20,000, to be paid within two months' sight. The divisions whether a Lord Deputy or no was not resolved 7th June; but 'tis hoped some expedient will be found out. The Dutch have since the late fight sent an extraordinary ambassador to the Parliament. . . ." Cork, 21 June. *Ib.* ff. 162-3.

201. Ordered by the Commissioners that Wednesday, 30th inst. be kept as a fast and day of humiliation. Cork, 21 June. Orders A/82. 42. f. 255.

202. THE COMMISSIONERS TO COL. FITZPATRICK.

" We received yours of the 18th of June, wherein you desire a continuance of maintenance for your horse and foot until the 14th of July next. To which we return you this answer: That at this distance and in the absence of the Lieut.-General we conceive it not proper nor safe for us to act therein, at least to continue your horse undisbanded longer than the time formerly granted you; besides we are exceeding sensible of the great charge that lies upon the country, having had several representations of their great poverty and inability to bear the same; and if we should put upon them this further charge, by you desired, we believe it would occasion the ruin of many poor families, whom we desire to preserve so far as the exigencies of the public service will bear. We are assured the Parliament's ministers will be careful to make good unto you all the concessions which were granted unto [you], with as much favour and furtherance as may be consistent with their duty, and it is our desire they should do so. This being all we have to say in this matter we rest." Cork, 22 June. Domestic Corresp. A/90. 50. f. 180.

203. SAME TO COMMISSARY-GENERAL REYNOLDS.

"You know what difficulties passed at the Treaty at Kilkenny, and this enemy might have then come in and submitted, but for their own ends and advantages have refused, and since gathered their blood-guilty party together, and combined to frustrate that Treaty, and to prolong the war in this poor nation; and seeing our God, who is the Lord of Hosts, is still pleased to witness against them, and own his poor servants in so eminent a manner, as we find from all parts, we do not hold it advisable to entertain any more treaties, and we send you our answer to the Earl of Clanricarde's letter of the 3rd of June, which you may send to his Lordship, as you see cause, if the former should miscarry. The Lieut.-General with his party is still in Kerry before Ross. We have not heard from him since the 16th inst. in the evening, and then the Lord Muskerry tendered a new treaty; but little was made thereof. All their provisions for boats and other materials for the service there were with him last week. A party of that enemy came to prey this county; but were met with by the Lord Broghill, and though the enemy was more than double in number, yet durst not engage. We fell in the rear and took a lieut.-colonel and about 100 horse, and redeemed 200 cows they were carrying away, and killed about 50 of the enemy, and took some considerable quantity of arms. The Lieut.-General hath also about the 10th inst. fallen on a party of the enemy about the lough at Ross[1] and did there take about 60 horse and some cows. We hope to have good account from him shortly. . . ." Cork, 23 June. *Ib.* f. 179.

204. SAME TO MR WINTER.

"This poor youth, Daniel Deane, is the son of a minister, reported to be deserving and painful in the work of the ministry, who with the mother was lately taken away by sickness, leaving him and other small children fit objects of charity, which induced us to recommend him to your care, to be received into the College and educated there, as other poor scholars at the public charge, not doubting but by the Lord's blessing upon the means he may become useful in the Commonwealth." Cork, 23 June. *Ib.* f. 176.

205. SAME TO COL. SANDERS.

"We understand from Major Brian Smith by his letter of the 22nd inst. from Limerick, at five in the evening, that Col. Ingoldsby's party near Lough Reagh [Loughrea] hath fallen upon Grace's party, hath totally routed his horse, and surround his foot in a bog with horse and dragoons. This is certain, as he saith, Grace's party consisting of nigh 3000 horse and foot; and we further hear from Commissary-General Reynolds by his letter from the camp before Ballymote, 18th June, 1652, that Sligo, being reduced, the Lord President, with whom he continues, is before Ballymote and that he had left Col. Venables fortifying Belturbet in Cavan, the enemy between both and not willing to engage either, yet plundering the creaghts as if they intended to keep together for some time. They are about 4000. . . ." Cork, 23 June. *Ib.* f. 176.

206. THE COMMISSIONERS TO THE COUNCIL OF STATE.

"We shall not at this time any further trouble your Lordships than with a brief account of the present state of your forces and field service here, whereby it will appear that the Lord is pleased to continue his presence with your servants here in the prosecution of your service. About two days since we received letters from Commissary-General Reynolds dated the 18th June, which informs us that Sligo is surrendered to Sir Charles Coote, and that both of them were at that time before Ballymote,[1] the Lord Taaffe's house, which he hoped will be surrendered speedily. He further writes that Col. Venables was then fortifying of Belturbet in the County of Cavan, and that Clanricarde lay with his Ulster and Connaught forces in the fastnesses of Cavan, in number about 4000, between Sir Charles Coote and Venables, but declining to engage with either party; but seeks a treaty for himself and party, and to that end sent some proposals to the Commissary-General, who would do nothing therein without advice from us, and we thought it not advisable to entertain any more treaties with him, further than to receive such of them as were not guilty of the first blood into protection, upon their laying down of arms and absolute submission to the pleasure of the Parliament concerning them. At the same time we received letters from Major Smith at Limerick, informing us that Col. Grace and his party (who were forced out of the fastnesses in the King's and Queen's County by the forces under Col. Hewson, Col. Axtell, and Col. Sankey), being got over the Shannon joined with Richard Bourke, making in the whole 3000 horse and foot, and came to Portumna, where they burnt the town and intended to force the Castle, and that Col. Ingoldsby with 500 horse and dragoons marched towards them and at Lough Reagh (Loughrea] fell upon them, totally routed their horse and surrounded the foot in a bog, where our intelligence leaves them.

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[1] *I.e.* Lough Leane (Killarney).

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[1] Ballymote surrendered on 24 June. Articles of agreement between the Lord President of Connaught on the one part and Major-General Luke Taaffe on the other part, concluded June 24th, 1652.

That the garrison of Ballymote with all the arms and stores of ammunition and provision be surrendered by seven of the clock to-morrow morning to the Lord President or such as he shall appoint (except hereafter excepted).

That Major-General Taaffe, the officers and soldiers and all others now in Ballymote shall march forth with their arms, bag and baggage to such place as they shall desire.

That the goods belonging to any in protection, or shall desire the same, be preserved for the use of the respective owners, and that 20 days be allowed for the removal of such goods, and that in the meantime a convenient place within the said castle be allowed for the preserving them from embezzlement, and that Major-General Taaffe with his family, not exceeding 12 persons in number, be admitted to continue in Ballymote during that time.

That Major-General Taaffe and such others as are in Ballymote shall have a safe conduct to continue within the quarters, during the space of three months, and at the expiration thereof be received into the protection of the Parliament if they desire the same.

That Major-General Taaffe and the tenants and others in Ballymote shall enjoy their corn in ground, paying contribution as others do.

That the Lady Taaffe shall have liberty with her family to reside at Ballymote, in the protection of the State of England, and that the said castle, if necessity doth not otherwise require, shall be left free to her use, after the expiration of two months from the date hereof, she giving or procuring sufficient security that it shall not be possessed by any party in arms against the State of England, or become otherwise prejudicial to their affairs, and that the castle of Ballymote shall at all times be free to give shelter to any party of the Parliament's forces, and redelivered upon demand to the use of the Parliament, and that the castle of Ballymote shall not be garrisoned afterwards but upon apparent necessity.

That Major-General Taaffe shall have liberty to transport 1000 men beyond seas, if he can make his agreement with the Spanish agent or any other in amity with the Commonwealth of England.

That Major-General Taaffe, and his wife in his absence shall enjoy their estates as others of the same qualification.

That hostages be immediately sent forth for the performance of these Articles. Articles of Capitulation, ff. 86-7.

"The Lord Muskerry having refused to accept the Leinster Articles, Lieut.-General Ludlow and Major-General Sir Hardress Waller, with 1500 foot and about 700 horse marched into his country of Kerry, and there being no way to force the Island and Castle of Ross, being his principal garrison and strength, but by boats upon the great lough or water which encompasses the place, we were fain to provide in this town and at Kinsale materials for two pinaces to carry guns in them, and ten boats more for transportation of men, each boat to carry about sixty men, together with oars, rowers and about fifty sawyers, carpenters and other artificers, and to send them by sea to the Bay of Dingle, where they arrived on Friday last, the 18th inst. in the morning. While these were in preparation Lieut.-General Ludlow fell upon a party of the enemy near the said lough, killed divers of them, and took sixty good horse, a small prey of cows and some quantity of powder and ammunition from them. Likewise the Lord Broghill on the last Lord's day, about five in the morning, with that party of the forces that were left to preserve the country, by the advantage of a mist, fell into their camp, and although they were accounted 600 horse, a regiment of foot, and another of dragoons, and in a posture to receive a charge, yet the van of our forces, being 100 horse and 120 foot, and 20 horse more for a reserve to them, being sent before to engage them, while the remainder of our forces were coming up, routed both their horse and foot and did considerable execution upon them. They took the officer that then commanded them in chief (one Colonel Supple) prisoner, the rest that came into their hands, they gave no quarter to. They encamped so near the fastnesses and rocks that most of them escaped thither, in which escape the mist was advantageous for them, and your men, having never seen the place, could not without much hazard pursue. They took about 100 good horse, with many saddles and arms, and rescued 200 good fat beeves, which were taken by them from the protected people, for the victualling of Ross Castle; but by your officers restored to the owners.

"These baffles, and the seasonable coming of the shipping, with provisions, into the river to force the place, inclined the Lord Muskerry to seek for another treaty or terms, and by letters received this morning from Lieut.-General Ludlow we are informed that Muskerry hath agreed to surrender the Castle and Island of Ross on Saturday next, and that his party shall lay down arms the 5th of July[1] next or before. Muskerry's

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[1] Articles of agreement made and concluded between Major-Genl. Sir Hardress Waller, Col. Thos. Sadler, Adjutant-Genl. Wm. Allen, Lt.-Col. John Nelson, Commissioners chosen and appointed by Lt.-General Edmund Ludlow, Commander-in-Chief of the Parliament's forces in Ireland on the one part, and Col. Edmund Fitzmaurice, Col. Garret Fitzmaurice, Sir Robert Coppinger and Col. Callaghan O'Callaghan, Commissioners chosen and appointed by the Lord of Muskerry, Commander-in-Chief of his Majesty's forces in the Province of Munster on the other part.

That Ross with the island or islands thereof, with all the stores, arms, ammunition, and other furniture of war be delivered up to Lt.-Genl. E. Ludlow, Commander-in-Chief of the Parliament's forces in Ireland, or whom he shall appoint for the use of the Commonwealth of England, by twelve o'clock on Saturday next, the 26th inst., and that all the forces both horse and foot now in the aforesaid garrison and islands, deliver up their horse and arms at the abovementioned time, and that likewise the Lord Muskerry do undertake to deliver, or cause to be delivered such other garrisons and forts as are under his command by the first of July next, unto the said Lt.-General Ed. Ludlow or whom he shall appoint to receive the same, with all the arms, ammunition, stores and other furniture of war without spoil or embezzlement.

1. That the Lord Muskerry do, by to-morrow morning by ten of the clock, give in to Lt.-General E. Ludlow (or whom he shall appoint to receive the same) a list of the regiments and troops and companies under his command, with the officers commanding them, that are to lay down arms as aforesaid, and also that he do by Saturday 12 o'clock at noon, endeavour to procure those officers to submit themselves and sign under their hands thereby to engage themselves with him to use their utmost endeavours to bring their respective regiments, troops and companies under their command to lay down arms, and bring in their horses, according as is hereafter expressed in this article, by Monday the 5th July next viz.: Those in the County of Kerry to lay down arms at or near Killarney; those in Muskerry and Carbery at or near Macroom; the rest of the forces in the County of Cork and Limerick to lay down arms at Kilmallock (except what is hereafter excepted) to the Lord of Muskerry ten horses and 5 case of pistols; to each colonel of horse to be allowed 5 horses and 3 case of pistols; each lieut.-colonel and major of horse to have 4 horses and

son [1] and Sir Daniel O'Brien are to be hostages and were expected by the Lieut.-General when the messenger came away. We have not yet any advertisement what the conditions are; but conceive by the expressions of the letter that they are much like those of Leinster. We hope a short time will settle this south-west corner, which indeed is the most knotty and difficult to effect, by reason of rocks and fastnesses, and most necessary to be secured, by reason of the many excellent harbours that are in it, open to any design from abroad. We have caused stay to be made of some Dutch vessels, upon intelligence of the fight in the Downs, wherein we desire a speedy signification of your Lordships' pleasure. We had here these three days good store of rain and very seasonable weather. Our gracious God is pleased to make his mercies and our deliverances tread upon the heels of one another. The Lord mind us with spirits full of humility,

2 case of pistols; each lieutenant and cornet of horse to have 2 horses and one case of pistols; and to each quartermaster of horse one horse and one case of pistols; each colonel of foot to have allowed 3 horses and 2 cases of pistols; each lieut.-colonel and major of foot 2 horses and one case of pistols; each captain of foot to have one horse.

2. That in consideration hereof, the persons aforesaid (except such as are hereafter excepted) shall have pardon for life, and protection for themselves and their personal estate, they submitting themselves to all Acts and Ordinances of Parliament, and also such as shall desire it shall have passes to transport themselves and their goods to any place beyond the seas in amity with the Commonwealth of England, within three months after the date hereof, or such further time as shall be judged reasonable, they acting nothing prejudicial in the interim to the Parliament of the Commonwealth of England, their forces and garrisons.

3. That the non-commission officers, troopers and gentlemen shall in lieu of their horses receive such moderate satisfaction in ready money, as by two chosen on each party to appraise them shall be agreed upon.

4. That the Lord of Muskerry shall have liberty to transport 5000 men to serve any foreign state in amity with the Commonwealth of England (and shall have liberty to treat with any agent or agents for that end and purpose) within three months' time next after the date hereof, or such further time as shall be judged reasonable, the said Lord Muskerry undertaking that the men to be transported shall not by any act of his will go into any other place, than such as they are designed to by agreement with the agent or agents aforesaid, and that the said men be transported from such port or ports as the Lord Deputy or Commissioners of Parliament shall think fit.

5. That after the time appointed for the Irish party to lay down arms is

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[1] Col. Charles MacCarthy Reagh, of Kilbrittan Castle, near Bandon, was tried before the High Court of Justice at Cork, in December 1652, for the murder of several persons (Hickson, *Irish Massacres*, ii, p. 232) and "after much search into the matter" (Ludlow, *Memoirs*, i, p. 340) he was acquitted. He went abroad, and returned to Ireland at the Restoration, but, being unable to recover his property, he was with his wife (the sister of the Earl of Clancarty) and seven children reduced to a state of great distress. He predeceased his father, being killed on 3 June 1665 in a sea-fight against the Dutch.

self-denial and gratitude, and make us every way suitable to these manifestations of His eternal love to us and our nation, and preserve us from having high or covetous thoughts or hard and barren hearts in the enjoyments of so many signal mercies lest He should remove his loving-kindnesses from us. . . ." Cork, 24 June. *Ib.* ff. 169-170.

207. SAME TO THE PARLIAMENT.

"Since the late agreement at Kilkenny, the Lord of Muskerry in the south, and Lord Clanricarde in the north, have not only declared themselves not to accept of the capitulation, but have gathered together considerable bodies of the Irish in both

expired one month's assignation (according to the summer proportion of pay) shall be allowed to the forces which shall appear and lay down arms as aforesaid, to be raised and paid out of such places, as by such persons as have paid contribution to them within three months last past; and that liberty shall be granted for the collecting the arrears of the last three months' assignations due to the forces comprehended in these Articles concluded on, the respective baronies being thereout allowed such dues for quarters, preys or otherwise, as they can justly challenge from them for that time; and the general officers likewise, if their pay be not comprehended in the said assignations shall have liberty to collect the arrears of the last three months due to them out of such applotment whereout they were to be paid, they abating to the country the just claims for them due for that time; provided that no English Protestants be charged herewith except such as were in that time contributors, and the officers of the respective precincts are to see to the equal collecting thereof.

6. That as to the real estates of any comprehended in these Articles they are hereby left to the pleasure of the Parliament, for the mediation with whom a safe-conduct shall be given to such as the Lord of Muskerry shall nominate and appoint, and the Commissioners of Parliament here shall approve of, to be sent as agents for him and his party to the Parliament of England; and until the pleasure of the Parliament be known herein, if any part of their estates be not disposed of to any other *in custodiam*, they shall be put into the possession thereof, and continued therein, paying their contribution proportionable to the rest of their neighbours; and if it be disposed of, then, after the expiration thereof they shall be put into the possession of it, and in the meantime they shall receive the rents and profits that shall be over and above country charges thereout payable; and that the Lord Muskerry and the other officers and gentlemen of his party with him, whose estates are let *in custodiam* or garrisoned, shall have liberty to take such other convenient places in our quarters for the time they reside amongst us, as shall be judged requisite by the Commander-in-Chief of these precincts, or other superior in authority to them, they paying contribution out of such places equal with others.

7. That the benefit of all or any the Articles aforesaid extend not to the exemption of any person from being questioned, according to a due course of law, who had a hand or were actors in any of the murders, massacres and robberies that were committed upon the English and Protestants in Ireland during the first year of the war, or any murders or massacres since the said year committed by or upon any person not being in arms; nor to give protection to priests and Jesuits, or others in Popish orders to live in the Parliament's quarters; nor the benefit hereof to extend unto such who have murdered any of the Parliament's party after quarter given.

8. That for the performance of these Articles sufficient hostages shall be given upon signing hereof.

places. As to Clanricarde, since the reducement of Ballyshannon, Sir Charles Coote, with his own and part of Commissary-General Reynolds' party have reduced Sligo, and since that the Commissary-General is come to him and, as we hear from the Commissary-General the 18th inst. from the camp before Ballymote, are now before that castle, being the castle of the Lord Taaffe in the County Leitrim. Col. Venables with his party are at Belturbet in Cavan, and those fastnesses thereabouts, and we do believe part of the Leinster forces are with Venables or near to him, and Clanricarde doth lie in fastnesses between Ballymote and Belturbet with 4000 horse and foot, but

9. In testimony whereof we do hereunto interchangeably set our hands and seals this 22nd day of June 1652. Har. Waller, Tho. Sadler, Wm. Allen, John Nelson. Signed, sealed and delivered in the presence of us Hugh Rogers, Fred Mullins, Andrew Elliot, Francis Goold, Aulyt Leynor [Auly O'Leyne] John Ustead.

Memorandum, that in case of difference between the said two appraisers of both sides, umpireship shall be referred half to Lt.-General E. Ludlow, or whom he shall appoint, and the other half to the Lord of Muskerry or whom he shall appoint. [Signed as above.]

I do hereby ratify and confirm that my Commissioners have consented and here subscribed unto. Edm. Ludlow.

Explanations on the Articles made with the Lord of Muskerry.

We esteem such persons only guilty of murder, who during the first year of the war, have contrived, aided, assisted, acted or abetted any murder or massacre upon any person or persons of the English not in arms, but following their own occupations in their farms and freeholds; by aiding, assisting and abetting we understand such as have, by acts of their will, either precedently advised or commanded such murders or massacres, or subsequently approved thereof in sheltering such murderers and keeping them from justice.

Since the first year of the war we esteem those only guilty of murder, who have killed any of our party after quarter given; provided always, the person or persons, who did so kill did know before or at the said killing, the said person or persons had quarter; provided likewise the person or persons so killed did not, by act of hostility against the Irish or otherwise, legally forfeit his said quarter before the said killing.

We further esteem such to be guilty of murder as are guilty of breach of quarter or violation of safe-conduct in the first year of the war, to the killing of any person.

We further esteem such to be guilty of murder who killed or commanded to be killed and were so killed any of our protected, who were protected by the Commanders-in-Chief of the Irish party, or by any authorised to give protection on the behalf of the Irish party, if the party so killing at the time of the said killing knew of the said protection; provided the party so killed did not legally forfeit his said protection at the time he was killed.

We further esteem that if any person formerly under our protection, which shall during that time have killed or caused to have killed any person under our protection, and afterwards shall run to the enemy, this with any case of the like kind shall be judged murder.

That any countryman not in arms, nor under our protection who have, by sleight or promise of safety, drawn or caused to be drawn in any person under our protection to the taking away of his life, this with any case of the like kind shall be deemed murder.

As to Religion, we do declare it is not our intention, nor, as we conceive the hath refused to engage with either party; but hath sent for a treaty, and hath sent to the Lieut.-General and to us to appoint Commissioners and hath sent articles to the Commissary-General. Our answer thereto we send enclosed [1] and have advised the Commissary-General to the same purpose. And Grace, another of the Irish rebels, hath gathered a body of the Irish that formerly were of the Leinster rebels, and being beaten from his fastnesses in Leinster by Col. Axtell and Col. Sankey, got over the Shannon, and having (*sic*) burnt the town of Portumna and threatened the castle. Col. Ingoldsby from Limerick going to assist our friends there, heard that Grace had joined with Bourke and were about Lough Reagh

intention of those whom we serve, to force any to their worship and service contrary to their consciences.

As to personal estates, we declare that no officer or soldier comprehended in the said Articles shall be impleaded or sued at law for any horses, cattle, money or other provision or free quarter taken by them, by order of the superior officers, from any the inhabitants of this nation, nor for any matter or thing committed or done by them as soldiers in the orderly and usual course of war; provided this extend not to free any of them being impleaded for due debts according to due course of law. [Signed as above in the presence of the same witnesses.]

I hereby ratify and confirm these explanations and declarations made by my Commissioners, Ed. Ludlow.

Memorandum, that it is agreed by the Commissioners that the inhabitants of the Island of Ross shall have 14 days' time for the carrying away their goods out of the said Island, and if by that time they cannot carry all their goods away, they shall have 14 days more.

Mem. that such country gentlemen, now with my Lord of Muskerry and have not taken up arms and submit to the Articles, shall have liberty to carry away their horses with their travelling arms, not exceeding 2 horses each.

Second Mem. it is agreed upon at the laying down of arms all prisoners on both sides shall be released; but this not to extend to such as are in these, or have been in former Articles excepted. [Signed as before.]

We do not intend that persons who have in the time of war set, taken, or let any house or land belonging to absentees, whether English or Irish, shall for such acts as these be troubled or molested, but are in such cases to receive and have indemnity for such acts according to the provision made in the Explanation concerning personal estates. [Signed as before.]

That whereas some scruples have been raised by some gentlemen of my Lord of Muskerry's party, in regard there is not the same provision expressly made for them concerning their lives, real and personal estates, as for those in arms comprehended in the Articles lately made and concluded with my Lord Muskerry, we do declare that it was and is our intention that they and every of them do enjoy equal benefit as to their lives, real and personal estates, with those other persons in arms, and in like qualifications with themselves mentioned in the said Articles. In testimony whereof we hereunto set our hands the 28th of June, 1652. Har. Waller, Thos. Sadler, Wm. Allen, John Nelson, Ed. Fitzmaurice, Ger. Fitzmaurice, Robt. Coppinger, Col. O'Callaghan.

I do hereby ratify and confirm the above declaration, Edm. Ludlow.

This is a true copy of the Articles and Explanations thereupon, concluded betwixt Lt.-Gen. Ludlow and myself. Witness my hand this 3rd August 1654, Muskerry. Articles of Capitulation, ff. 75-81.

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[1] No 197.

[Loughrea] and were 3000 horse. Col. Ingoldsby fell on the enemy, and as we hear from Major Smith from Limerick, 22nd inst., that certain intelligence was come to him that Ingoldsby had totally routed the enemy's horse, and the foot, being got into a bog, he had encompassed the same with his horse and dragoons and was in that posture when the messenger came from him to Limerick.

As to the enemy with the Lord Muskerry in Kerry, the Lieut.-General and Major-General with what party could be spared from other parts, are marched to Ross, the chief hold of the enemy there, and having left two troops of horse and one of dragoons and 400 foot in a fort before Ross, the Lieut.-General, with a body of his brigade did the 13th inst. meet with a party of the enemy and routed them, and took some 50 horse and some prey with an abbey called Killara,[1] where they found some four barrels of powder; and in those parts they have been till the boats and other necessaries we sent them from Kinsale came to them, and on the 19th inst. we received letters from them that that day they marched up with their party to the fort near Ross Castle, and thither have sent their boats and provisions; but on the 18th inst. Muskerry sent for a new treaty, but the Lieut.-General has limited the treaty to be concluded the 21st inst. at six in the night, and in the meantime are preparing their boats for service. But this last Sabbath, being 20th inst., a party of Muskerry's forces, having joined with others of the rebels' party that lie in the bogs and mountains of Cork, did come into this county, and drive the cattle about Macroom, to carry them into their quarters; but the Lord Broghill, who is left behind to secure the quarters, fell on the rear of the enemy's body and took about 80 horse, killed about 50, took Lieut.-Col. Supple that commanded the rear-guard of the enemy and got two colours and some good quantity of arms and regained 200 cattle the enemy were carrying away, and the rest of the enemy [escaped] by the favour of a mist, and our party being near spent with a long march before this skirmish, and the impassableness of those parts, could not follow them above a mile or two. . . .

"*P.S.*—Since the writing hereof we have received letters from the Lieut.-General, the 23rd inst. from the camp before Ross concerning the rendering of Ross and submission of the enemy." Cork, 24 June. *Ib.* ff. 172-3.

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[1] Probably Killaha (Killagh) on the river Maine, near Milltown.

208. Same to the Parliament.

"Since the closing up of our packet the enclosed letter [wanting] came to our hand, which gives you an account of the further success the Lord hath given your forces with Col. Ingoldsby in Connaught and your forces with Col. Venables in Cavan." Cork, 25 June. *Ib.* f. 174.

209. Same to the several Commanders aftermentioned.

"In pursuance of a letter to us directed from the Council of State, bearing date 15th inst., we have sent you the enclosed votes, which we desire you to disperse and publish throughout your quarters, and likewise to give order to the several ports within your limits that stay be made of all the Dutch ships that now are or shall come in thither, with express charge that nothing found aboard any such ships or belonging to them shall be embezzled or taken away, but kept entire until further order. This is a business of great concernment, wherein we must desire and expect your utmost care and diligence that an account thereof with all convenient speed be sent unto your friends and servants.

"To Sir Hardress Waller, Sir Charles Coote, Commissary-General Reynolds, Cols. Hewson, Venables, Lawrence, Sankey, Axtell, and Sanders, and Major Hodder,[1] Governor of Wexford." Cork, 26 June. *Enclosed.*

209 (i.) "Tuesday the 15th June 1652. Resolved upon the question that the Parliament doth declare that the Act of Parliament constituting Oliver Cromwell Captain-General and Commander-in-Chief of the armies and forces raised and to be raised by authority of Parliament within the Commonwealth of England doth, and shall extend to the forces raised and to be raised in Ireland by authority of Parliament, as if Ireland had been therein particularly named.

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[1] Major John Hodder, of Bridgetown, co. Wexford, at this time Governor of Wexford had acted as commissary for the victualling of the Munster army at Cork since 1642. He was one of the first to go over to Cromwell's side in 1649. (See "The Remonstrance and Resolutions of the Protestant Army of Munster now in Corke," 23 Oct. 1649. Signed Richard Townsende, John Hodder, Jo. Broderick and 35 other officers. Lond. 1649.) He was elected Mayor of Cork in 1657, and was included in the General Pardon at the Restoration.

"Ordered by the Parliament that the Lord General be required to appoint such person as he shall think fit to command in chief the forces in Ireland under him, and to give him a commission accordingly.

"Ordered by the Parliament that the several military commissions only, which were granted by the Lord Lieutenant of Ireland or his Deputy to the commanders and officers of the forces in Ireland shall continue and be in force from and after the 22nd of June 1652 until the Lord General shall give other order.

"Ordered by the Parliament that this order be sent by the Council of State to the Commissioners of the Parliament now in Ireland, and that they be required to cause the same to be published there with all speed and see the same be observed accordingly. Hen. Scobell. Clerk Parliament." *Ib.* ff. 177-8.

210. SAME TO LIEUTENANT-GENERAL LUDLOW.

"We have this present day received some letters from Col. Venables, Col. Sankey, Col. Axtell and others, and all do expect and long for your coming into these parts. This day sevennight divers officers have appointed a meeting at Kilkenny in expectation of your coming thither. The business of the north stands as it did, and is like so to continue till you come this way. We know not what to say to all these without your presence. We know not how to advise your motions at this distance from you. We can only tell you there is need enough of your presence, power and counsel in these and other more northerly parts of the land. . . ." Cork, 1 July. *Ib.* f. 183.

211. SAME TO COL. LAWRENCE, TO BE COMMUNICATED TO COLS. SANKEY AND AXTELL.

". . . Monday next is appointed for Muskerry's forces to lay down arms. If that, and other public affairs of consequence concerning those parts, can be so settled that we may be at that meeting,[1] we shall much rejoice in the opportunity of seeing so many of our good friends together." Cork, 1 July. *Ib.* f. 183.

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[1] Viz. a meeting of several officers of the army appointed to be at Kilkenny on 8th July.

212. SAME TO THE CAPTAIN OF THE "HECTOR" IN KINSALE, AND IN HIS ABSENCE TO THE CAPTAIN OF THE "GOLDEN SUN" THERE.

"We having received intelligence this evening of two ships come into the River of Kilmare, loaden with arms and other provisions, intended for the relief of the enemy, and hearing also of eleven more that were to follow, being intended to the same ends, we held it fitting to give you notice thereof, and to desire you forthwith with the first opportunity of wind and weather that you resort to that coast, and, in case you shall find the said ships, that you make [stay] of them and every of them, and such as you shall arrest and seize on that you bring them to the port of Kinsale, and there to receive further orders. But in case they have submitted to the Lt.-General and he hath given any orders concerning the same, that you do acquaint him with your proceedings and receive his further orders." Cork, 2 July. *Ib.* f. 185.

213. SAME TO SIR CHARLES COOTE.

"We received your former letters of the surrender of Ballyshannon, Newtown [1] and Sligo, in which we find the wants you are fallen into for want of pay for the forces under your command, whereupon we immediately wrote unto Mr Standish Deputy-Treasurer at War to take special care to send forthwith unto your Lordship the money ordered for the forces of Connaught. . . . The Lt.-General having these six weeks been in Kerry with a good party, hath at length reduced the Lord Muskerry to surrender all his garrisons and lay down arms with all his party, which is in a good measure already performed by the said Lord of Muskerry. Monday next is the last day for the final finishing of that work, upon the perclose whereof we expect the Lt.-General with us, to whom we shall propose the speedy supplying of your Lordship with more foot, and accordingly inform you of what resolution is taken therein. We much rejoice at the good success the Lord hath afforded you and pray for the continuance of His good hand with you and so we remain.

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[1] Newtown Castle, the ruins of which are still standing, was situated on the north side of Lough Gill. (See a sketch in Wood-Martin's *Hist. of Sligo*, ii, p. 60.) It surrendered on 3 June.

Articles of Agreement made and concluded by and between Donogh O'Hart of the one part, and Major Robert Ormsby on the other part in behalf of Sir C. Coote, Kt. and Bart., Lord President of Connaught for and concerning the surrender of the castle or holt of Newtown in the Barony of Drumahaire unto the said Lord President, or whom he shall appoint for the Parliament of the Commonwealth of England, June 3rd, 1652:—

1. The said Donogh O'Hart doth conclude and agree to deliver up the said holt of Newtown, with all the arms, ammunition and necessaries of war, not hereafter excepted unto the said Lord President, or whom he shall appoint at or by 12 of the clock to-morrow without prejudice or embezzlement. In consideration whereof the said Major Ormsby doth conclude and agree that the said Donogh O'Hart and those soldiers in that holt shall have quarters for their lives, and shall have liberty to march away with their bag and baggage without impeachment, except arms and ammunition.

2. The said Donogh O'Hart (if he desire the same) shall have a protection granted to him and his men to live in the State's quarters with his and their families as to other protected persons.

3. That the said Donogh O'Hart shall have the full benefit of that little corn, that he and those soldiers in pay in the said holt sowed themselves without rent or contribution for this year, and a house assured them to keep their corn in safe from any under the Parliament's command.

4. The said Donogh O'Hart (if he submit to protection) shall have for this year the grazing of 20 cows free from contribution.

"*P.S.*—At the surrender of the garrison of Ross there was yielded up 1200 good arms and twenty barrels of powder, and we have assurance that all the considerable commanders under Muskerry have subscribed and submitted to the Articles." Cork, 3 July. *Ib.* f. 187.

214. SAME TO COL. HIEROME SANKEY TO BE COMMUNICATED TO THE REST OF THE OFFICERS APPOINTED TO MEET AT KILKENNY.

"In our last we have intimated unto you our very great desire to be with you at your meeting on Thursday next at Kilkenny; but finding that Lt.-General Ludlow cannot possibly come from Kerry until Tuesday next . . . we have thought good to propound unto you that you would remove from Kilkenny to Clonmel, and that you would be there by Saturday next the 10th present, by which time we hope the Lt.-General and the officers with him together with ourselves will be able to wait upon you there. . . .

"*P.S.*—About four days since there came a ship from France to Kilmare River with ammunition and arms for Muskerry, and

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5. The said Donogh O'Hart is to have the small boat and betts (*sic*) which he hath on Newtown Lough without any impeachment.

Lastly the said Donogh O'Hart is to have six musqueteers (*sic*) and six pikes allowed to him and his men out of their arms which they are to deliver up, with his own sword, in case he submit to protection for his necessary defence against Tories, which he is to give security shall not be employed against the State. Articles of Capitulation, f. 82.

reports eleven more sails to be coming for his assistance. We have sent a man-of-war to that coast to seize that vessel and attend the service thereabouts. One thousand two hundred arms and twenty barrels of powder were laid down upon the delivery of Ross." Cork, 3 July. *Ib.* f. 188.

215. SAME TO LIEUTENANT-GENERAL LUDLOW.

" . . . We are informed that your coming from Mallow to this town will be much a longer way in order to your going to Clonmel, and therefore we propose to go hence on Thursday 8th inst. to Youghal, and as we hear of your march shall meet you about Tallow on Friday or Saturday, as we shall hear from you; and if we hear not from you, shall stay at Cappoquin on Saturday morning, till we hear of you or where you are." Cork, 6 July. *Ib.* f. 191.

216. Ordered by the Commissioners that all Irish rebels, that have come in upon Articles, travelling from one county to another, do provide themselves with licences descriptive of their persons and notifying the cause of their travel. All persons travelling without licences to be accounted spies. All persons in arms in Ulster, Leinster, Connaught and Munster after the expiration of ten days from the date of the publication of this Order to be regarded as enemies. All persons, included in any treaty for laying down arms since 1 March 1651[-2] and found in arms after 20 July inst. to be accounted enemies. All persons harbouring any such of the aforesaid to be regarded as enemies.

This Order to be published in all garrisons and market-towns by beat of drum or sound of trumpet. 14 July. Orders A/82. 42. ff. 316-7.

217. Ordered by the Same that the Commissioners of Revenue be empowered to assess £100 upon the County of Kerry, the same to be employed towards the repairing of the causeway leading to the Castle of Ross. 14 July. *Ib.* f. 276.

218. Ordered that County Kerry be assessed at £600 *per mensem*, beginning 1 May last and to continue six months. 19 July. *Ib.* f. 279.

219. THE COMMISSIONERS TO THE PARLIAMENT.

"Our last from Cork gave you an account of the then present posture of your affairs. Since then the Lord of Muskerry, after the Treaty concluded at Ross, hath been industrious to make the submission of this party as considerable as he could, so as in several places there hath of his party 3000 foot, 700 horsemen mounted and 300 unmounted brought in their horse and arms, and the Lord of Muskerry himself doth (as he saith) intend presently to go for Spain, and carry with him 1000 men, and himself to return again, if he can obtain any considerable command upon the carrying over of the residue of his party, for whom he is there to make his conditions. There is now in the fastness of Kerry one Murtogh O'Brien, who is on the head of such of the Irish rebels as have not submitted and come in with the Lord Muskerry, and Sir H. Waller with a considerable party is left in Kerry to clear that country, and to make such garrisons therein, as may enable the party there to prevent the gathering together of the enemy or of others that may run to them. The Earl of Clanricarde and the body of the rebels that were in a conjunction with him in the north, being beaten from their garrisons and castles, a considerable party under Sir C. Coote and Commissary-General Reynolds on the one side, and Col. Venables, with some part of the Leinster forces sent from Col. Hewson on the other side, and by the planting of garrisons at Belturbet in Cavan and securing several passes, have been so attended on all hands that the enemy could not continue any longer together in a body, and the Earl of Clanricarde for himself, and the several officers of the Connaught rebels for themselves and their party, have also come in and submitted, and on the last of this inst. are to bring in their arms and horse, and have desired leave to transport 5000; so as all Connaught is clear of any enemy that we can hear of, and those rebels that are left in Ulster are attended by Commissary-General Reynolds in Longford and Col. Venables in Cavan and those parts, so as 'tis hoped they will be reduced to such a condition, as they shall be disenabled to infest your quarters, some part or other of your forces continually falling in upon them as they do move out of their fastnesses. Since the reduction of Ross in Kerry, a considerable part of your forces under the conduct of the Lt.-General had some resolutions to march into the north, to make that body of your forces there more considerable; but upon the submission of the Connaught enemy, and that there is sufficient force there to attend the remainder of the Ulster rebels, it is now held most advisable that the Lt.-General do forthwith march into Wicklow and Wexford, and to beat those woods and mountains, and to find out the enemy, and to plant some garrisons in those fastnesses of the enemy, and then to move further as shall be most conducing to your service.

"There hath been a late meeting of very many of your officers at Clonmel, of which they gave us notice at Cork, and desired our coming thither to them, where we were present with them in all their debates and consultations, the result whereof was put into writing and sent by Col. Hewson and Adjutant-General Allen; and we did observe in every one then met, a general desire to testify their due thankfulness for the great care of the Parliament in the plentiful provisions made for them hitherto, and that nothing should be by them presented that might any way seem to be contrary to any resolutions of the Parliament concerning them, but in all things are most willing to be ordered by you, as God shall please to guide and lead you. We shall conclude with our humble desires that your pleasure may be known what you will hold out towards the settlement of the nation, and what the Irish may expect from you, and that such as shall fall off from you (which they are very apt to do) may be by force reduced, and that such Commander-in-Chief and others whom you shall please to send over, may be timely sent, whereby, and by the help and blessing of God, you may see the fruit of the vast expense both of blood and treasure that you have been at to the reducing of this nation. We are this day to march to Kilkenny and thence to Dublin, from whence we hope to give you further account as occasion shall be offered and at present shall only subscribe ourselves." Waterford, 22 July. Domestic Corresp. A/90. 50. ff. 196-7.

220. SAME TO THE COUNCIL OF STATE.

"Since our last to your Lordships the enclosed Articles[1] came to our hands, whereby all the enemy in Connaught have submitted to lay down arms, and, if they will perform their conditions, we humbly conceive it will be much for your service (although we declined to grant any treaty with them upon application made to us), your forces in those parts being now at liberty more effectually to prosecute the Ulster enemy under Farrell, Phelim O'Neill and divers others, most of whom are conceived not capable of conditions of peace, by reason of the guilt of murder that lieth upon most of those that command them.

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[1] Articles agreed on by Col. Richard Coote, Major Robt. Ormsby, Capt. Henry Lestrange, Capt. Henry Sankey and Adjutant Charles Holcroft, by authority of the Rt. Hon. Sir C. Coote, Lord President of Connaught and Commissary John Reynolds on the behalf of the Parliament of the Common-

wealth of England of the one part, and Theobald Lord Viscount Mayo, Major-General Lucas Taaffe, Col. Garret Moore, Col. Hugh O'Connor and Col. Hugh O'Kelly, for and on behalf of themselves and in behalf and by authority of Sir Ulick Bourke Bart., Col. Richard Bourke, Col. William Bourke, Col. Francis Taaffe, Col. Donogh Kelly, Capt. Thos. Bourke, Capt. Sir John Bourke, Col. Terence M'Dermott, Lt.-Col. Donnel O'Connor, Capt. John Bourke, Lt.-Col. Brian O'Kelly, Col. Teige O'Connor Sligo, Col. Ulick Bourke, Lt.-Col. Teige O'Bourke (*sic*), Lt.-Col. Teige O'Dowde, Capt. Con Farrell, Capt. Edward Bourke, Col. Teige O'Kelly, Lt.-Col. Dermot O'Daly, Capt. Cormack O'Hara, Capt. Wm. Donellan and Capt. Carbry M'Egan and in the behalf of all others comprised in these Articles, and now in arms in the Province of Connaught against the Parliament of the other part this 14 of July 1652.

It is agreed that the said Sir Ulick Bourke Bart. [etc.], and also the said Lord Viscount Mayo, Major-General Lucas Taaffe, Col. Garret Moore, Col. Hugh O'Connor and Col. Hugh Kelly and all other the officers and soldiers under their commands in this Province of Connaught, shall on the last day of this inst. July deliver up into the hands of such as the said Lord President or Commissary-General Reynolds shall appoint, all their horses, arms and ammunition belonging to them, and to the several troops and companies under their commands, and all the castles, islands, forts, artilleries, and stores belonging to, or in the power of them or any of them, without spoil, waste, or embezzlement, except unto Theobald Lord Viscount Mayo, Major-General Lucas Taaffe, and Col. Richard Bourke to each of them 6 horses and 6 case of pistols; to each colonel of horse 5 horses and 3 case of pistols; each lieut.-colonel and major of horse 4 horses and 2 cases of pistols; each captain of horse 3 horses and one case of pistols; each lieutenant and cornet of horse 2 horses and one case of pistols; each quartermaster of horse 1 horse and one case of pistols; each colonel of foot 3 horses and 2 case of pistols; each lieut.-colonel and major 2 horses and 1 case of pistols; each captain of foot his horse and each commission officer his sword. The Auditor-General, Marshal-General, and Quartermaster-General, to each of them 2 horses and one case of pistols. The said horses and arms to be delivered up as follows, viz. :—

1. The forces of the County of Roscommon to deliver up their horses and arms at Roscommon; the County of Leitrim at Jamestown; the County of Sligo at Ballymote; the County of Mayo at Moyla [Moylough]; the County of Galway at Loughrea; and the officers of the respective troops and companies shall give in a true list of all their officers and soldiers comprehended in these Articles, and also of the horses and arms to be delivered up, at the places appointed for laying down arms, which is to be sent to the officer commanding the adjacent garrison to that place of rendezvous at least three days before the day appointed for laying down arms.

2. That all persons comprised in these Articles shall be secured and protected in their lives and personal estates, they submitting themselves to all Acts and Ordinances of Parliament, and that such as desire it shall have passes to transport themselves and their goods beyond seas to any place in amity with the

"The Lord Muskerry hath been very effectual in the performance of his Articles. Upon the surrender of the garrison of Ross 960 able men marched out and laid down arms, and since that 2000 foot, 700 horsemen mounted and 300 horsemen unmounted have laid down arms, being his entire whole party, except Murtogh O'Brien (a man guilty of the massacre in the beginning of the Rebellion) who lately went to Kerry from Thomond and about 200 men with him, who keep in the mountains and fastnesses. Of the horse that were brought in 550 are bought to recruit your troops.

Commonwealth of England within three months after the date hereof; they in the meantime acting nothing to the prejudice of the Commonwealth or present Government, and that all prisoners relating to the parties herein concerned be mutually set at liberty.

3. That all such officers and soldiers as shall deliver up their horses and arms as aforesaid, shall receive full payment for their horses as they shall be then valued by two officers for each party, and, if they cannot agree, one umpire of each party to be chosen who are to have voices by turns; and that all officers and soldiers shall, upon delivering up their arms as aforesaid, receive one whole month's pay, according to their summer allowance out of the places of their last assignations, and that then no officer shall have pay but such as bring in 40 foot of each company and 25 horse of each troop; and that such as do not bring in their men, shall have proportional defalcation made for want of numbers out of their pay.

4. That the said Lord Viscount Mayo etc., and Sir Ulick Bourke etc., or such other of the said persons aforesaid as shall undertake the same, shall be allowed to transport for the service of any foreign prince or state in amity with the Commonwealth of England, 5000 men of the persons comprehended in these Articles, and that within three months or sooner, if it may be, to which purpose it shall be lawful for them to employ a messenger into Spain or any other country in amity with the Commonwealth of England, if they cannot agree with the King of Spain's agent here; and, if they cannot effect the same so soon, the Lord President and Commissary-General will moderate with the Commissioners of Parliament for a convenient enlargement of time.

5. That those comprehended in these Articles shall have the full benefit of all such concessions, conditions and explanations thereupon as have been granted and passed to any the forces of this nation, since the 10th of May last, and that shall be granted hereafter to any forces of the Irish party now in arms in this nation, who shall submit to the Government of the Parliament of the Commonwealth of England; provided that it be not intended that any arrears be hereby allowed to any the forces now agreed with; provided that from the date hereof none of the said officers or soldiers of the said party take more than necessary food for themselves and their horses from their former quarters or the places where they now are, or shall march through to their rendezvous appointed for laying down arms, and that without plundering or destruction to the country in any measure; provided that the persons aforesaid and others the persons under their respective commands that shall deliver up arms as aforesaid, shall be comprised in and have the benefit of these Articles and no other; provided also that the benefit of these Articles shall not extend to any person guilty of the murders or robberies committed in the first year of the war, or that any time since have committed any murders after quarter given, or that are guilty of any murders committed by or upon any person not in arms.

Lastly it is agreed upon that 5 hostages, to be named by the said Lord President and Commissary-General Reynolds shall, upon perfecting hereof, be given in, for performance of these Articles, that is to say one for each of the said

"That country being now, through the mercy of God, in a quiet posture, we came the last week to Clonmel, where we had a meeting with the commanders of your forces in these parts, to advise with them how to prosecute your service the remainder of this summer. The parties that yet stand out are that of O'Brien's, who skulks in the mountains of Kerry, Cork and Tipperary; the party commanded by Grace, being computed about 1000 foot and some few horse, who keep in the fastnesses in the King's and Queen's County and are attended by Col. Sankey with the forces of Tipperary, and by Col. Axtell with the forces of Kilkenny; the party commanded by Phelim McHugh McByrne and the Cavanaghs in the fastnesses of Wicklow and Wexford, towards whom Lt.-General Ludlow is now marching with about 2000 horse and foot, to plant garrisons in those fastnesses, to dislodge or break that enemy (who can and will avoid engagement be the forces never so many that come against them), and from thence his purpose is to march northward, to endeavour the dispersing of the Ulsters, who are now the most considerable strength they have, and the most difficult to be reduced, in respect of the spaciousness of that wild and fast country.

This country is like to be a sad place this ensuing year for want of bread, many of the inhabitants perishing daily from want, and the common food of them in many places being horse-flesh, grass and green ears of corn, so as there cannot be any considerable supply of bread, or other provisions for your forces, this next year expected to be found in this country, and therefore we humbly pray that the Parliament and your Lordships' accustomed care of ordering competent and seasonable supplies for your forces here may be continued. We are now going towards Dublin, from whence we shall present your Lordships with an estimate of what supplies of provisions will be necessary to be made for your forces here this ensuing year." Waterford, 22 July. *Ib.* ff. 198-9.

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countries, who shall be accountable only for the forces of the county for which he is engaged, and if any particular person shall make a breach of these Articles it shall be answered by himself, and no other the officers comprehended in these Articles, endeavouring to bring him to justice.

For true performance of all which Articles aforesaid the aforenamed persons authorised on both parties have hereunto interchangeably put their hands and seals the day and year first above written. Lucas Taaffe, Hugh O'Connor, Hugh O'Kelly, Mayo, Garret Moore. Articles of Capitulation, ff. 96-99.

221. SAME TO OLIVER CROMWELL.

"Colonel Fitzpatrick, being the first eminent officer of the Irish army, who, with his whole party laid down arms and submitted himself to the authority of the Commonwealth of England, hath already sent over a considerable number of Irish into Spain, and is himself resolved to go thither to serve that King, and hath therefore made it his request to us that we would desire your Excellency to recommend him to the ambassador of Spain, that by his mediation with the ministers of State there, all the conditions made between him and Don Richardo White,[1] their agent here, may be made good to him; and that, if further levies be intended out of this nation, he may be favourably looked upon as a man very able to serve that King in such a work; in the meantime he may have the command of that brigade, which he hath and is sending over, distinct and independent from any of the Irish officers, who laid down arms after him, they having expressed so much prejudice and spleen against him for breaking the ice in the submission to the Parliament, that he hath much reason to fear they will take all occasions to ruin him. Truly my Lord, we are very well assured that this gentleman is not only guiltless of any blood shed in the first year of the Rebellion, but also hath ever since been very civil to such of our men as fell into his hands, whilst he was in arms, and by his timely coming off from the enemy and ready performance of his engagement, is become odious to the whole party, and hath very much manifested his peaceable inclination, which as it moves us to write thus much on his behalf so we offer it to your Excellency's consideration and remain." Waterford, 23 July. *Ib.* f. 195.

The like letter *mutatis mutandis* to the Lord Cromwell in behalf of Colonel Philip O'Dwyer, being the second eminent officer etc.

222. SAME TO THE SEVERAL COMMANDERS HEREAFTER NAMED.[2]

Order a public fast because of the late sad breaking out of a sore visitation at Cashel, which takes the people suddenly and violently with madness, in which they die, there being twenty taken in that sort in three or four days and the Commissioners are informed that the pestilence rages again in Galway, Dublin and many other garrison towns. Carlow, 25 July. *Ib.* f. 200.

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[1] For an interesting notice of this individual at a later period, and his two brothers, Thomas and Andrew, who also figure in these documents, see Thurloe *State Papers*, iii, pp. 68, 69, 84.

[2] Viz. Cols. Sankey, Phaire, Saunders, Ingoldsby, Leigh, Pretty, Venables, Axtell, Reynolds, Sadler, Foulke.

223. SAME TO LIEUTENANT-GENERAL FLEETWOOD.[1]

"This morning we received notice of your being appointed by the Parliament to be Commander-in-Chief here in Ireland, and of your present resolutions of coming hither, which as it is no small rejoicing to us, so we do believe that such here, as do truly love the Lord and his cause, will and do bless the Lord for this mercy to us and them. The orders of the Council to the four ships to go to Bristol to bring you over were this day received and despatched away to the several ports between this and Kinsale. . . . Lt.-General Ludlow is at present in Wicklow [2] with a party of horse and foot, that he drew out of Munster and those parts; but next week we expect him and his party here, and from hence he is to march towards the north, where the most considerable part of the enemy is now at present, but yet in such a posture as they are not like to engage with any forces that shall come to them. . . ." Dublin, 29 July. *Ib.* f. 201.

224. SAME TO THE COMMISSIONERS OF THE REVENUE OF THE RESPECTIVE PRECINCTS HEREAFTER MENTIONED.

"Since our return to this place we understand that the sum of £50 charged upon the Precinct of Wexford, towards the fortifying of Athlone is not as yet paid in, so that the work is much retarded this summer and the public greatly prejudiced thereby, and do therefore require and expect that you do forthwith cause the said sum of £50 to be paid over to Alderman Daniel Hutchinson, Treasurer of the Public Revenue at Dublin, who is appointed to receive and issue out the same for the service aforesaid, for which this shall be your sufficient warrant. . . ." 29 July. *Ib.* f. 205.

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[1] Fleetwood's appointment as Commander-in-Chief was due to Lambert's refusal to accept the post on the abolition of the office of Lord Lieutenant by Parliament. His appointment was greatly resented by Ludlow, who saw in it a trick of Cromwell's to make himself dictator. Fleetwood remained in Ireland from Sept. 1652 to Sept. 1655, and it was under his government that the so-called Cromwellian settlement was effected. See Life in *Dict. Nat. Biog.*

[2] Cf. *Memoirs*, i, p. 326.

To the Commissioners of Cork for £177; of Tipperary for £181; of Wexford for £50; of Kilkenny for £90. *Ib.* f. 205.

225. Ordered by the Commissioners that Bibles be distributed to the forces in Leinster, viz. one for every file of men. 3 Aug. Orders A/82. 42. f. 294.

226. SAME TO DR HENRY JONES.

" Forasmuch as it hath pleased God (by the many great and constant successes he hath given to the Parliament's forces) in some good measure to open a way for inquiry to be made of the murders, massacres, and robberies, which have been committed upon the English and Protestants in Ireland, and whereas it highly concerns the honour of God and the justice of the Parliament that the actors and abettors of the said horrid and cruel facts shall receive condign and exemplary punishment for their said offences, so far as God shall deliver them to the power of justice, for which end and purpose we do think fit at present to dispense with your attendance, and do desire that forthwith you repair to the counties of Kilkenny and Tipperary, and to such other counties and places within the Provinces of Munster and Leinster, where you shall judge your presence to be most conducible for the promoting of the said service, and then and there to cause due and strict inquiry to be made of the said murders, massacres, and robberies, when, where, by whom and upon what persons the same were committed, and thereof to take or cause to be taken due examinations upon oath, and to put in execution the commission of the peace to that end granted to you and others within the said provinces; and you are to give notice to all Justices of the Peace and other ministers of justice within the said provinces in their respective precincts to be aiding and assisting unto you, so often as you shall find occasion in the execution of the said commission of the peace and other the premisses." 5 Aug. Domestic Corresp. A/90. 50. f. 207.

227. SAME TO THE COMMISSIONERS OF REVENUE OF GALWAY, LIMERICK, CORK, WATERFORD AND WEXFORD.

"We have sent you here enclosed a copy of the Council's letter to us touching quantities of wool, leather and other prohibited commodities transported out of Ireland into France and other foreign parts, and particularly from the ports of Limerick and Galway, to the great disservice of the Commonwealth and the blemishing of our actings through the miscarriages of some of those employed by us." The Commissioners to inquire into the matter. Drogheda, 9 Aug. *Ib.* f. 209.

228. SAME TO THE LORD DILLON.[1]

"We received yours of the 2nd inst., and having considered of your desires therein, do not find wherein the neglect you complain of tends to your Lordship's prejudice. We are very loath to determine anything to your disadvantage; but, on the other hand, your Lordship's not coming in according to the Articles, and your excusing yourself to the enemy for the rendition of Athlone, at a capitulation of war of the enemy, your Lady's endeavouring to betray that castle, and likewise your joining in commission with those sent from Garrench to Dublin, to treat for the Irish party, are sufficient cautions against our concluding for you till time serves for the further examination of these particulars. In the meantime we understand your Lordship enjoys your estate. We shall only add that we are your Lordship's humble servants." Drogheda, 11 Aug. *Ib.* f. 210.

229. SAME TO THE PARLIAMENT.

"Our last of the 22nd July from Waterford did present unto you the posture your affairs then stood in, and since then there is not anything come to our knowledge worthy of your trouble. Your forces lying all dispersed in the several parts of this nation, watching all motions of such of the enemy, as do still hold out and have not submitted, the most considerable numbers whereof are in Ulster, where they have of late seemed willing to submit, and have treated with some of your servants to that end, and after some time spent therein did come to a conclusion and the commissioners of the enemy's part seemed to be satisfied with the conditions, only they desired time to show it to the chief of their officers, and after they had considered thereof did send back this enclosed paper, which as we are informed did proceed from the apprehension of the danger they were in by the murders and massacres in the beginning of the Rebellion, whereof the chief of them were the chief and most eminent actors, and yet, during the treaty, pretended their innocency therein, and that they would stand to a trial to clear themselves from that suspicion. They are heightened to that resolution by a friar lately come amongst them out of England (one Abbot Croyly[1]), that pretends to give them great assurance of succours and relief from the Duke of Lorraine. Upon this (and consideration of the enemy's present posture) your servants in those parts have resolved to make several garrisons in the bowels of their fastnesses, and to secure all passes into and from the same, and to lay waste those fastnesses and countries, wherein that enemy have relief and security from your forces. In other parts of the nation your servants are no less diligent in watching over the enemy (that do yet stand out) near their quarters, so as there is much more security in Munster, Leinster and Connaught than ever yet was enjoyed by your friends since the Rebellion broke out, and by the blessing of God we may hope it will continue and increase daily, being assured that your forces here will have the continuance of your care in making timely provisions for them, until there be a thorough settlement of this nation upon certain grounds, which in convenient time we hope will be effected.

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[1] Thomas 4th Viscount Dillon, grandson of Thomas 1st Viscount and nephew of Sir James Dillon (see above, p. 203) was born and bred a Roman Catholic, but at the age of fifteen he became a Protestant. He was appointed a Privy Councillor and sat in Parliament in 1639. In 1642 he and Lord Taaffe were commissioned to submit the grievances of the Irish Parliament to Charles, but on arriving in England they were robbed of their papers by order of the English Parliament and for some time imprisoned. On returning to Ireland Dillon joined the Confederates and in 1646 he was received back into the bosom of the Catholic Church by Rinuccini. He however supported Ormond and was present at the battle of Rathmines. After the Restoration he recovered his estate, and died about 1672.

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[1] Regarding Abbot Croyly or Crelly, a Cistercian monk, whose name figures so largely and so mysteriously in the correspondence of the time, it is hard to find any definite information. He played the part of secret agent on behalf of the national and ultramontane party in Ireland, and in 1649 he actually tried to effect a compromise between Owen O'Neill and the Parliament (*cf.* Ludlow, *Memoirs*, i, p. 228, note). When this scheme failed he busied himself in trying to stimulate the interest of the Catholic princes of Europe in the fate of Ireland; but his behaviour was regarded with suspicion and dislike by the more moderate Confederates. For a curious character given of him by Peter Talbot, subsequently Roman Catholic Archbishop of Dublin—"homo scandalosus," "dies consumit in tabernis, noctes vero alibi"—see *Hist. MSS. Comm.*, 10th Rept., App. v, p. 357. According to Reeves (*Colton's Visitation of Derry*, p. 81) the O'Crellys came originally from Connaught, and were a branch of the M‘Dermots of Moy Lurg. Abbot Crelly was probably a member of the O'Crellys of Tamlagh O'Crilly, co. Londonderry.

And, seeing it hath pleased God to reduce this nation in so good a measure to your obedience, we hold it necessary that all such as are in the power of your ministers here, and are guilty of any murders, ought to be brought to a trial for the same, some being already in prison for those offences, and others are daily discovered to us that are guilty of those cruel murders; but we cannot bring them to a trial for the said offences, for that in some counties, where those cruelties were committed, there are no inhabitants at all, the counties lying waste, and there cannot be juries had in any county but such as are Papists and Irish, and such as have had a hand in the Rebellion and no ways to be trusted therein; and therefore we do humbly desire the pleasure of the Parliament to be signified what course is to be taken for the trial of such offenders, and if you please to authorise any to grant commissions to erect one or more Courts of Justice, and that those commissioners or any twelve or more of them have power to inquire of, and to hear and determine all murders done or committed in Ireland from the 20th of October 1641 to the 20th of October 1642, or that were done and committed since the 20th of October 1642 by or upon any person not being in arms, you have many servants here of known fidelity and integrity, that will cheerfully obey your commands therein; and till your pleasure be known in that or some other way we do not know how to proceed in this great case, wherein the honour of God and your justice is so highly concerned.

At our return from Munster to Dublin we found the sickness to break out there, and finding, by our being there, a great resort to that city not only from all your garrisons, but from all parts of the nation (whereby the plague might be increased there and your army and garrisons endangered thereby) we have removed ourselves to this place, until we shall see what the Lord will please to do therein." Drogheda, 11 Aug. *Ib.* ff. 211-12. *Enclosed.*

229 (i). THE ENSUING LETTER, SUPERSCRIBED TO COMMISSARY-GENERAL REYNOLDS AND COLONEL VENABLES.

" Sirs, The confidence we reposed in the bounty and clemency of the Parliament for their favour and reconciliation unto those of this nation (after a tedious and destructive war) is come from you so far short of our expectation, after two or three addresses made by us unto you in behalf of our clergy and laity, such as are now in arms in the four provinces and our adherents, that we find it disadvantageous to continue any further supplication in that behalf, in regard of the doubts and ambiguities put upon the security of our lives and souls by your offers and explanations thereupon, we being content for the preservation of our lives, consciences and loyalty to suffer banishment from the estates and fortunes, which our predecessors enjoyed many a hundred year ; but since you, the ministers of so powerful a State, deny us of those favours and concessions, which are usually given by the swaying hand to a people inclining to submission, we do invoke the Lord of Hosts to be the judge of what innocent blood may be spilt hereafter, and we beseech the Omnipotent God to protect us from the violence of such as thirst after Catholic blood and our extirpation, and having no more to say, we are your servants, 4 August, 1652. Collo McMahon,[1] Miles Swine,[2] Cormack O'Neill,[3] Miles Reilly, Hugh McMahon, Hugh

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[1] Col. Collo MacMahon of Balloghie in co. Monaghan was one of the leaders in the Rebellion, being declared a traitor and a reward of £600 being placed on his head by the Lords Justices on 8 Feb. 1642. He served with distinction during the whole war and was one of those who adhered to the Peace of 1648 [-9] against the will of Owen O'Neill, for which he was expelled his property. Matters were made straight when O'Neill also gave in his adhesion, and he continued fighting till he surrendered with the rest of the Ulster leaders to Sir Theophilus Jones on 27 Ap. 1653. He died before the Restoration but his son Brian (the Brian mentioned in the document) was restored to his estate.

[2] Col. Miles Swine or MacSweeny was one of the most devoted followers of Owen O'Neill. Like him he at first opposed the Peace of 1649, but afterwards declaring for it, he in May 1650 wrested Dungiven fort in co. Donegal from Lt.-Col. Beresford, and was shortly afterwards given a commission by Ormond as Governor of Tory Island, with the command of a regiment of foot. According to Dean King (*Contemp. Hist*, iii, p. 300) he was the most loyal subject Charles II had in Ulster. But being charged with the murder of the Rev. Robt. Aitkins, minister of the parish of Clandehorba in the first year of the Rebellion, Venables refused to treat with him for a surrender until he was satisfied that the charge was false. All the same MacSweeny had to stand his trial before the High Court of Justice at Dublin. (Hickson, *Massacres*, ii, pp. 205-218.) Being acquitted he went abroad, and at the Restoration he recovered the little property he owned in co. Donegal.

[3] Cormack McBrian O'Neill, captain of a troop of horse.

McGennis, Ph. O'Neill,[1] Con O'Neill,[2] Brian McMahon, Hugh Maguire,[3] Owen Brady, Brian McManus, Richard Farrell,[4] Iveagh,[5] Enniskillen,[6] Philip Reilly, Tho. McMahon." *Ib.* ff. 212-13.

230. SAME TO THE COUNCIL OF STATE.

" In our last from Waterford of the 22nd July we presented to your Lordships the present sad condition of this country for want of bread, and by reason thereof it cannot be expected that your forces for this next ensuing year should have any reasonable provisions made for them, and therefore we did then, and do now again humbly desire the Parliament's and your Lordships' accustomed care, of ordering competent and seasonable supplies for your forces here, might be continued. We have now here enclosed sent your Lordships an estimate of such provisions as we humbly conceive necessary for the preservation of your forces this next year (the provisions of corn already in the stores here being not sufficient to supply the forces until the 1st October next), and we do humbly and earnestly pray that timely provision may be made by your Lordships that your poor soldiers here may not hereafter perish for want of bread, or starve for want of clothes. It having pleased God in some good measure to open a way to make inquiry after the cruel murders [etc. as in the preceding letter to the Parliament], it being much on the spirits of some that the tokens of God's displeasure (in the breaking out of the plague) is continued in many towns and garrisons and spread in many places of the country, because the said murders and massacres, which have provoked the Lord to pour out the vials of his wrath upon this nation, have not been effectually inquired after and prosecuted, and thereby his justice vindicated. . . . The prejudice which the Commonwealth suffers by counterfeit Peru pieces, and counterfeit English money, by the clipping of current English coin, and suffering the same, though never so much clipped, to be current in Ireland, and by the want of an establishment of a certain rate upon good Spanish money and other foreign coin, is so great, that very much confusion and disorder will suddenly ensue, if not speedily prevented by some order from your Lordships, it being a matter we humbly conceive not proper for us to act in without we receive some special command or signification of your pleasure in the said particular. We are removed to this place in order to answer your affairs in Ulster, where the enemy are most considerable, the work of reducing them most difficult in regard of the largeness of their fastnesses, consisting of the greatest part of five counties and likewise to avoid the drawing a concourse of people to Dublin, where the sickness is much spread." Drogheda, 11 Aug. *Ib.* ff. 213-15. *Enclosed.*

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[1] Sir Phelim O'Neill. See note, p. 181.

[2] Con Bacach O'Neill, first noticed as a captain of horse, was, after distinguishing himself in a brush with Monro's forces in 1644, made major to Col. Miles O'Reilly, and subsequently colonel of a regiment of horse. He displayed great activity during the war and was several times wounded. He surrendered amongst the last of the Ulster commanders on 27 April 1653.

[3] This Col. Hugh Maguire, who surrendered on 27 April 1653, is not to be confounded with his more famous namesake, Col. Hugh, who served with distinction during the war, at first under Owen O'Neill and afterwards under Ormond, and was reported to have been killed at the battle of Scarriffholis.

[4] Richard Farrell or Ferrall was one of those officers who were serving abroad when the Rebellion broke out, and at once returning to Ireland offered their services to the Supreme Council. At first he is said to have received no position befitting his rank of major; but in 1645 he was appointed colonel of a regiment of foot by Owen O'Neill and commanded the reserves at the battle of Benburb in 1646. Afterwards he was appointed Commander-in-Chief of the Irish Forces in Connaught, but there was considerable friction between him and Clanricarde. His signature, together with those of O'Neill and the Bishop of Clogher, is attached to a document directed to Charles II explaining why they did not at once consent to the Peace of 1649. Afterwards Ferrall was sent by O'Neill (himself crippled by illness) to the relief of Ormond after his defeat at Rathmines. He was in command of Waterford when the city repulsed Cromwell. After some time spent in Leinster he returned to Ulster. He served under Bishop Ever MacMahon at the battle of Scarriffholis, and escaping capture he continued to carry on the war with great energy, being one of the last to surrender.

[5] According to his petition for restoration to his lands presented on 23 Feb. 1661 (*Cal. State Papers*, Irel., 1661, p. 225) Arthur, Lord Viscount Magennis of Iveagh was in Dublin as the King's ward when the Rebellion broke out. He served long and loyally in the war, and was one of the last colonels to submit. He then went abroad and served the royal cause, becoming a captain in the Duke of Gloucester's regiment.

[6] Conor Maguire, baron of Enniskillen, exempted from pardon for life and estate by the Act of Settling Ireland, surrendered on 27 April 1653.

230 (i). The total number of the forces within the dominion of Ireland, according to the musters taken in June and July 1652, for which provision of bread corn is to be made for one whole year, beginning 1st October next and ending 30th September, 1653 are as followeth: Ninety-nine troops, consisting of 6742 private soldiers and 623 non-commission officers, amounts to 7365 men. Twenty-two troops of dragoons, consisting of 1293 private soldiers and 154 non-commission officers amounts to 1447 men. Two hundred and seventy-four companies of foot consisting of 22,850 private soldiers and 2466 non-commission officers amounts to 25,316 men. Total, 34,128. *Ib.* f. 215.

231. Same to the Council of State.

"This day the enclosed [wanting] information came to our hands from Col. Ingoldsby at Limerick. We cannot judge whether the three men-of-war therein mentioned be Dutch or French. There are two nimble pirates called the *Patrick* and the *Francis*, that are constantly upon the Irish coasts, where they have done much hurt and have often been chased by your frigates; but those that are appointed for the coasts of Ireland are generally such slow sailers that they can do no good upon the said pirates. One small frigate appointed to guard the Scottish coasts, carrying 26 guns, was in fight with the said two pirates and one other small vessel which was with them, for six hours together, and the night parting them, came into Carrickfergus much torn with their guns. Your Lordships appointed the *Reserve*, the *Providence* and the *Expedition* to come to Bristol to transport Lt.-General Fleetwood, from whence they are not yet returned. The *Hector* at present is employed to bring powder and other ammunition from Limerick to Waterford, and was in the Shannon, taking the same aboard him, when the enemy seized upon the ship and men, within mentioned. The *Tenth Whelp* is in the River of Kilmare in Kerry, unto whom is sent from Kinsale one Captain Tatnell, who commands a merchant ship in the service of the State, to endeavour to find out the said pirates; but we can give your Lordships no account of the *Concord, Nicodemus*, the *Fox* and the *Gilliflower*, except they be in Chester or Liverpool waters, where, we find by experience that the goings of your ships of war into those ports to victual or upon any other account is of very great prejudice to your service, they being, it seems, very difficult ports to get out of. We have given orders in all your port-towns in Ireland to give constant notice what ships in your pay come to harbour, how long they stay in harbour, and which way they hold their course when they go to sea and if a strict account may be thought fit to be taken of their coming and continuing in harbour upon the English and Welsh coasts, we humbly conceive it would somewhat advantage your service.

"At our being in Munster we viewed the harbours of Kinsale, Cork and Youghal, and find that in the condition they now are, an enemy may come into any of them and take away the ships as they ride at anchor. The securing of the said harbours and of several other good harbours in Ireland, that now lie open, we humbly conceive to be necessary for the better securing of trade; but the charge will be so great, as will require your Lordships' orders for the building and repairing of such forts and block-houses as shall be necessary for that end. We have given orders for the fitting of the new block-house at Kinsale with guns, carriages and other necessaries, and for the making of the said block-house serviceable for the securing of the road within the headland, where the block-house stands, it being the only harbour in these parts for your ships of war to come in to victual and trim themselves. We conceived it of more immediate concernment to be secured than any of the other ports. . . ." Drogheda, 12 Aug. *Ib.* f. 218.

232. SAME TO COLONEL INGOLDSBY.

" . . . We are content that there be lent out of the stores twenty-one days' provision of that oatmeal and cheese you mention, to the merchants for the transportation of the 3000 men with the Lord of Muskerry, of which we have also intimated our pleasures unto the Commissary of Stores; but yet so as that the same may be returned again, either in kind or in money at such value as it is issued to the soldiers; and whether it be paid for in money by the merchants or the country it is all one to us, provided that there be not any charge imposed upon the country for the same, other than what the Lord of Muskerry and his party that laid down arms with him are to receive from the country by their Articles, for we would have you understand, and so desire you to inform the Lord of Muskerry, that we will not give way that he or any other shall transport men hence for the King of Spain's service, either upon the country's charge or the State's, knowing well that the King of Spain in all times hath accepted it a favour to have licence from any State to raise men for his service at his own peculiar charge, and also we know that it is my Lord of Muskerry's interest, and those that command the men, to transport them for that service, and therefore we desire you and all others concerned in the issuing of provisions for the State in this kind, that you take great care that the State be no loser. . . . We have received the list of the Irish, which you have turned out of Limerick. We know not the persons by their names, but believing that you have done the same in order to the better security and future planting of that place with English, we approve of the same, and indeed shall be glad to hear that those houses out of which those Irish are removed are supplied with English, and when that is done we should freely give our consent to another removal of the Irish for that purpose. We are not offended that you have kept the possession of that part of the Lord Brittas'[1] estate, which we ordered him the possession of, provided that you make good what you allege against him, and that by the Articles of Limerick he ought not to receive any such benefit; to which purpose we have enclosed an Order to the Commissioners of the Revenue, to examine and certify us of the truth thereof, that we may accordingly proceed therein, according to justice and the Articles granted by the late Lord Deputy, whose honour (though now dead) we shall be as careful to preserve in all things as if he were alive. We allow of the lease granted you for three years of Sir Dominick White's house, provided you keep it for your own use, or let it to an English inhabitant, and shall be also ready to serve you in a greater matter so far as it may stand with the discharge of our trust and the distribution of justice to all men committed unto us." Drogheda 16 Aug. *Ib.* ff. 222-3.

233. SAME TO THE COMMISSIONERS AT KILKENNY.

"This bearer Henry Baker was recommended to us as one faithful to the interest of the Commonwealth, and a person capable of some good employment, and for his encouragement we have not at present a better way than to recommend him to your care, who we desire may admit of him to practise as an attorney before you, and that the same may be effectual to his maintenance. We do think fit that you do henceforth inhibit all Papists to practise before you, either as councillors, attorneys, or solicitors, in case there be Protestants sufficient to discharge that employment, which we suppose may be had within your precinct. We intend a general order in this particular." Drogheda, 16 Aug. *Ib.* f. 227.

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[1] John Bourke, Lord Brittas, son of Theobald, was the great-grandson of that William Bourke of Castleconnell who, as a reward for his killing, or rather murdering his cousin James Fitzmaurice Fitzgerald, "the arch-traitor," in 1579, was created Baron of Castleconnell by Elizabeth. John died before the Restoration; but his widow recovered.

234. SAME TO SIR CHARLES COOTE.

" In answer to your letter of the 10th present by Mr Clarke, and to another of a former date, which we had not opportunity to answer till now, we return as followeth: We shall begin first with that which seems, by your expressions, to be most upon your spirit and the spirits of some with you., viz. the expression in the vote of Parliament [1] for continuing of such military commissions as by the expiring of the Lord-Lieutenant's commission of lieutenancy did abate. The word 'only' in that vote, seeming to us to intend the exclusion of civil commissions, granted by the Lord-Lieutenant or Lord-Deputy formerly and nothing else, you are pleased to apprehend to extend to the abating of the power granted you under the great seal, and therefore for your satisfaction in that particular we say only this, that we conceive that the power you mention to have been conferred on you was not as much as in debate in the Parliament, in the passing of that vote, and we desire (as being such who wish you much honour and prosperity) to deal friendly and plainly with you, in offering our humble advice that you do not give way to a spirit and temper of jealousy and distrust towards those that God hath placed in power above us, nor set your heart upon your continuance in great place or power, which at best is attended with many snares and temptations hardly possible for the weakness of nature to resist, and that you cast the care of yourself and your concernments upon the Lord, and trust in him, whose promise is that to such he will give their heart's desire (Psalm xxxvii.).

" 2. As touching those persons that have laid down arms, we cannot advise any expedient for their transportation, other than what is provided for by the conditions granted them, which we leave to your Lordship to assist them in, so far as it lieth in your power, and that in the meantime your watchfulness over them may prevent any design, which they may be led unto, to the disturbance of the public peace.

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[1] See No. 209, i.

"3. As touching the Earl of Clanricarde we conceive that those Articles[1] granted him, which concern his own person for

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[1] Articles agreed upon by and between Major-General Lucas Taaffe, Sir Ulick Bourke Kt. and Bart. and Capt. Wm. Donellan, authorised by the Lord of Clanricarde, Lord Deputy-General of Ireland for his King on the one part, and Col. Wm. Reeves, Major John King, and Capt. Henry Sankey, Commissioners authorised by Sir C. Coote, Lord President of Connaught by authority of the Parliament of England, and Commissary John Reynolds of the other part, the 28th day of June 1652.

1. It is agreed that the said Lord of Clanricarde, with his necessary attendants (not exceeding 20 persons) shall have a pass or safe-conduct to depart out of Ireland, and to repair into such foreign kingdom or State, as he shall make choice of, with liberty to remain in Ireland free from all manner of prejudice in their persons, horses, travelling arms and goods for three months next after the date of the said pass, for the better preparation and accommodation for his said voyage, and if, at the expiration of that time, want of convenient shipping or contrary weather should hinder his departure, no advantage shall be taken thereof, but the pass or safe-conduct to continue of force as [? and] to be renewed until shipping be ready or the weather fit.

2. That, if by contrary winds he shall be driven back again or forced into England or Scotland, he shall not be stayed, troubled, or molested, but quietly permitted to go forward in his intended voyage together with his goods, servants and attendants, without delay, loss or prejudice to [? from] any in the Parliament's service or under their obedience.

3. That for the £1000 demanded from the Corporation of Galway by the Lord of Clanricarde, if the same upon just proof appear to be due, it shall be paid by them before his departure.

4. That as for the engagement of the nation of £2000, challenged to be due to the Lord of Clanricarde by consent and appointment of a General Assembly, the Lord President of Connaught and Commissary-General Reynolds will represent the same to the Commissioners of Parliament.

5. That the Lord of Clanricarde, Capt. William Donellan, or either of them shall not be liable to make satisfaction to any town, county or particular person for any engagement they or either of them have passed in the behalf of their public (*sic*).

6. That James Davocke, steward, and John Lambert, late secretary to the Lord of Clanricarde, and such others of the said Lord's servants as have formerly attended upon him, and are now under protection, whom he may have occasion to employ for his help and assistance in the preparation for his departure, as also the said Capt. William Donellan, with his 3 servants their horses and travelling arms, be admitted to repair unto him from time to time during his stay in Ireland, and that for conveyances passed from the Lord of Clanricarde to his steward and others his servants, if they be of small value they shall enjoy them, but if the same shall be of considerable value the Lord President of Connaught and Commissary-General Reynolds will present it to the Commissioners of Parliament.

7. That as for those grants passed by the Lord of Clanricarde in Ireland unto Mrs Lettice Bourke *alias* Sherley so [? to] securing her portion, left in his hands in England, being before the war, the Lord President of Connaught and Commissary-General Reynolds will effectually represent the same to the Commissioners of Parliament.

8. That the Lord of Clanricarde shall have liberty to transport 3000 men (of such as shall be willing) out of this province, for the service of any prince

his residence in the Parliament's quarters, and likewise for the transportation of himself and his attendants to go beyond sea, should be made good unto him, and for that end (if it be found necessary) that a fitting vessel be pressed for his transportation, provided that good security be first given to the owner for the securing of the vessel and performance of the conditions, which shall be agreed upon between his Lordship and the owner, and that no persons guilty of murder (according to the usual exceptions) be permitted to go beyond the seas with him by colour of the said Articles. We likewise conceive that, if it shall appear to you that there is justly due to his Lordship from the inhabitants of Galway the sum of money mentioned in the Articles or any part thereof, he ought to have the same according to the purport of the said Articles. But we conceive it not consistent with the duty of those that serve the Parliament here to approve of or make effectual any national engagement, made by consent or appointment of any pretended General Assembly in rebellion against the Parliament, neither can we give your Lordship any resolution in those particulars concerning Mrs Bourke and his Lordship's servants, which tend to bind the real interest of the Commonwealth in the lands mentioned in those Articles, until

or State in amity with the Commonwealth of England, of which men such as are now in arms are to deliver up their arms to the Lord President or Commissary-General Reynolds or such as either of them shall appoint within 20 days after the date hereof, and shall then receive one month's pay according to their summer allowance out of their assignations for the three months last past within this province, the said 3000 men to be transported within three months after the date hereof, or sooner if it may be.

9. That the Lord of Clanricarde shall with freedom reside at Kilcolgan in the County of Galway during the time limited for his stay in Ireland, in which time he is not to act anything to the prejudice of the Commonwealth of England or the present Government thereof, and that the said Lord of Clanricarde shall withdraw the power and authority conferred upon him from further acting in this nation.

Lastly, that the said Lord President of this Province of Connaught and Commissary-General Reynolds shall, within 20 days next after the date hereof, mediate with the Rt. Hon. the Commissioners of the Parliament of the Commonwealth of England for the affairs of Ireland to ratify and confirm all these former Articles. In witness whereof the Commissioners before named have hereunto interchangeably set their hands and seals the day and year first above written. William Reeves, John King, Henry Sankey. We do hereby ratify and confirm the aforementioned Articles the day and year aforesaid. Cha. Coote, John Reynolds.

We do hereby undertake that the Commissioners of the Parliament of the Commonwealth of England for the affairs of Ireland shall approve of and confirm the Articles agreed upon with the Commissioners appointed by the Lord of Clanricarde this present day, as witness our hands this 28th of June 1652. Cha. Coote, John Reynolds. Articles of Capitulation, ff. 90-2.

the General (who is daily expected) comes over, by whom we expect to understand more of the Parliament's pleasure in cases of that nature.

"4. As for Innisboffin and the pirates residing upon that coast we have sent you enclosed a copy of an Order we lately sent to the Parliament's ships-of-war in the south of Ireland. . . . In the meantime we conceive it advisable that the inhabitants and their stocks should be removed from the next adjacent coasts to that island, and the said coasts laid waste to prevent their getting of relief from the shore, and that some garrisons were planted in those shores, from whence they may most probably have relief conveyed unto them, which we leave to your consideration to act as you shall judge to be most for public advantage. . . . We are informed that some persons within your precinct, over whom your Lordship hath command, have exercised a power of freeing some persons from paying such assessments as of right fall upon them, a matter (as we conceive) so unjust in its nature, and so dangerous in the example and consequence, that we durst not give way to it in the case of our best and faithfulest friends. This we mention that your Lordship may extend your care for the prevention of the exercising of any unjust or arbitrary power over the people by any under your command. We hope your forces are kept upon motion and in action (according to the resolutions agreed upon between you and the Commissary-General) for the reducing of those in Ulster that yet stand out, and planting of some garrisons to secure the country, and that through your Lordship's care the forces be not drawn into quarters, before the accustomed time. We desire that all the arms, which have been laid down or brought in from the country, may be brought into the stores at Galway, and that order be taken to fit them for service." Drogheda, 17 Aug. *Ib.* ff. 229-31.

235. SAME TO COLONEL STUBBERS.

" . . . We are informed that some of the inhabitants of Galway have very considerable quantities of powder in their possession, which may be of ill consequence, we therefore desire you forthwith to cause exact search to be made for what powder there is in the garrison, and to command all such persons to bring into the public store what powder they have in their custody, and to certify us the quantity, nature and value of what shall be upon your order brought in. We likewise hear that the enemy at Innisboffin do secretly, by their agents in your garrisons, buy up considerable quantities of provision, and get them conveyed to their quarters by water, we do therefore desire you would take care that boats with provision be not suffered to go out of Galway, except they be such as belong to some of our garrisons, or otherwise (upon sufficient security given) have your pass or only intend to cross the water. We have also sent you an order to the Governor of Portumna to furnish you with 300 pikes, which you may send for as you find cause." Drogheda, 17 Aug. *Ib.* f. 232.

236. Ordered that the storekeeper at Galway do deliver 100 Bibles to Mr Clark at Galway, to be distributed as he and others think fit. 17 Aug. Orders A/82. 42. f. 304.

237. Ordered that waste lands in Galway Precinct be let for three years; provided they are three miles from any garrison. 17 Aug. *Ib.* f. 306.

238. Ordered that no minister but such as take the Engagement enjoined by the Parliament, do receive any tithes or State-support within Ulster. 18 Aug. *Ib.* f. 305.

239. THE COMMISSIONERS TO THE COMMISSIONERS OF THE REVENUE IN ULSTER.

" . . . We have considered of the ministers you mention, and have sent you the enclosed Order concerning them, which we desire may be observed, and, if you find that any of them carry on the Scotch interest, or principle the people against the present Government of the Commonwealth of England, you are further to secure them, and send them up to us in safe custody to be proceeded against according to their demerits. . . ." Drogheda, 18 Aug. Domestic Corresp. A/90. 50. f. 233.

240. SAME TO THE COMMISSIONERS OF PARLIAMENT IN SCOTLAND.

"Your employment in Scotland and that wherein we are entrusted here being of like nature, and tending to the same end—

the welfare of the Commonwealth of England, we conceive that a constant intercouse of intelligence between us would tend much to the mutual satisfaction and help of each other in the prosecution and discharge of the trust reposed in us. We here, having much of the presence of God with us in making the endeavours of his servants effectual to the subduing of the enemy in all parts of this land (except a few blood-guilty persons not capable of pardon for life, who stand out in the fastnesses of the midland counties of Ulster) have little knowledge of the dealings of God with you in Scotland, or of the course you take for the settling of peace and the common interest in that nation. If, to supply this defect you shall conceive fit to have a post bark settled between Ulster and the west of Scotland we shall willingly contribute towards it upon intimation from you. . . ." Drogheda, 19 Aug. *Ib.* f. 236.

241. SAME TO MR ROBERTS.[1]

"We have received information from the Commander and Commissioners of the Revenue in Kerry, that, by reason of the payments due to the Irish party upon their laying down arms in Kerry, there is a necessity of respiting the present three months' assessments ending this month, and installing the same upon the future months, wherein they have desired our advice, which we have sent them herewith; and because, at this distance, it is probable that we have not a clear understanding of the condition of affairs there, we have desired them to communicate unto you our letter unto them, and we desire you, upon consideration of the whole matter, to advise the best course how competent provision may be made for the forces, with most advantage to the State and husbandry of the treasury, and to prepare such warrants or orders for us to sign. . . ." Drogheda, 19 Aug. *Ib.* f. 238-9.

242. DR HENRY JONES TO THE COMMISSIONERS.

"Since my leaving Dublin I have been until now held at and about Carlow and here, in that work on which you have commanded me.[1] I find it enlarged beyond expectation, and that God's hand is with me in it in an extraordinary manner, both by strange and new discoveries, and by bringing forth persons, delinquents and others, necessary for evidence, whom I had little or no hope either to find at all or so opportunely. Yesterday Col. Bagenal was examined. The heads of the charge against him are in the enclosed. I collected them out of those examinations I held formerly and which I have lately taken, which are many and full. Some are already secured who are proved to have been in the very act of blood. I have delivered to Col. Axtell a schedule of delinquents in the County of Kilkenny and in the King's and Queen's Counties, who are to be apprehended, and that speedily, otherwise they may evade justice and prove mischievous to us in securing Tories, for their security at present. Florence Fitzpatrick[2] lately died in a ditch while ways were laying for seizing on him. To-morrow I purpose, God willing, to go to Clonmel and further as the work in Tipperary shall call me. We have it here that the Lt.-General's goods and horses are already landed at Waterford and himself daily expected. Fitzpatrick is gone away with a 1000 men. He was at loss in demurrage; some of his men, who have been brought to the waterside, have stolen from him. Brian McShane Fitzpatrick is lately come from Grace, and hath agreed to carry over 300 men; also Major Connor (another of Grace's officers) hath delivered up 120 good arms. In Loghaman[3] were two islands maintained by two of Grace's officers, Moloy and Dunne.[4] Dunne hath surrendered his island to Col. Axtell, wherein were fourteen soldiers, whose arms we have, and 80 pounds of powder. Moloy yielded to Col. Sankey: there were in his hold about fifty men. Col. Sankey had since then set himself on the taking of Inchicore,[5] Grace's principal fortress, which is given up on conditions, and Grace himself also receiving conditions.[6] I have not yet the particulars, but

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[1] Edward Roberts, Auditor-General, described by Ludlow as a man of a fawning, flattering disposition, probably on no other ground than that he supported Fleetwood in the question of the Protectorate, was appointed a Commissioner along with H. Markham and R. Kingston of the assessments and Public Revenue of Ireland in Nov. 1654. He was a large purchaser of debentures and as a special favour was allowed to choose his own lands in Ulster.

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[1] See No. 226.

[2] Col. John's father. See p. 31, note.

[3] ? Loughane, King's County.

[4] Lt.-Cols. Charles O'Molloy and Richard Dunne or O'Doyne, both active officers of the ultra-Catholic party in Leinster.

[5] ? Inchicoura, an island in Lake Coura, King's County.

[6] Articles of Agreement made, concluded and agreed upon at the leaguer before Inchlogher this 14th day of August 1652 between Col. Hierome Sankey, Commander-in-Chief of the Parliament's forces in the County of Tipperary etc. and Col. Richard Grace, Commander-in-Chief of the Irish forces in these parts as followeth:—

I doubt they are better than he deserved, all things considered.[1] Art Cavanagh had lately preyed about Carlow. He is the remaining considerable (if I may say considerable) enemy hereabouts. He with Daniel Cavanagh hath lately sent to Col. Axtell to be received. Thus you see the Lord's working for you and bringing your enemies under you. I wish we may have hearts answerable. The mayor of Kilkenny is lately dead, but not of that we call the sickness, which is not here, blessed be God, although hereabouts. This is all at present." [Unsigned.] Kilkenny, 20 Aug. MSS. T. C. D. F. 3, 18.

Imprimis, That Capt. Theo. Carroll, Governor of the Inch shall deliver up the garrison of the Inch, with all the arms, ammunition, stores of war, at or before Tuesday next, being the 17th of this inst. month to Col. Hierome Sankey, or whom he shall appoint for the service of the Parliament of the Commonwealth of England.

2. That the forces under the command of Col. Grace shall deliver up unto Col. Sankey, or whom he shall appoint, for the service of the Parliament aforesaid, all their horses and arms, excepted what is mentioned in the 4th article, upon the 26th of this inst. month at Birr.

3. That Col. Grace and the officers, and soldiers that now submit with him to the authority of the Parliament aforesaid shall have security for life and personal estates, and liberty to receive their due debts, and shall be freed from arrests or impleadings for any contribution, free-quarter, or hostile prosecutions of what sort soever during this war.

4. That the officers shall be allowed such a proportion of horses and arms as is provided for in the Articles of Kilkenny in the behalf of the forces of Leinster.

5. That they shall have the like benefit as to their real estates that shall be held forth to others of the like qualification by the Parliament of the Commonwealth of England and partake of what favour or privileges that shall be held forth by them to the people of this nation.

6. That such who bring in their horses, shall have liberty to sell them at the best rate they can to any officer or soldier in the Parliament's army, or have appraised and sold as two of Col. Sankey's appointment and two of Col. Grace's shall think fit, and the umpirage of the one half shall be by those appointed by Col. Sankey and the other half by Col. Grace.

7. That such of them that will transport themselves beyond sea to any State in amity with the State in England shall have four months' time after the date hereof, and the rest shall have liberty to live under the Parliament's protection, conforming themselves to be subject to all Acts and Ordinances of Parliament; and those, that desire to be transported, shall be free to have the like benefit of shipping and other conveniences in order to their transportation, as other parties have had, or in the future may be afforded; and such others that desire to go along with them, that are not excepted persons, shall have the like liberty.

8. That such of the clergy, who come in upon their Articles, shall have the like time to transport themselves beyond sea, with their personal estates, and in the meantime live in the protected quarters unmolested, they acting nothing to the prejudice of the Parliament; and such of them either by sickness, or want of shipping cannot be transported in that time shall have such further additional allowance of time granted them, as the Commanders-in-Chief of the Parliament's forces in Ireland or the Commissioners of Parliament shall think fit.

9. That the officers and soldiers shall have a month's means, according to

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[1] But *cf.* Ludlow, *Memoirs*, i, p. 322, whence it appears that Sankey took full revenge, by shooting a captain, lieutenant, sergeant and other officers.

243. THE COMMISSIONERS TO THE COMMISSIONERS OF REVENUE AT ATHLONE.

"Yours of the 12th present we received by Captain Thelwall,[1] wherein you inform us what great charge falls upon the County of Roscommon by the Irish parties submitting and laying down arms according to the Articles,[2] insomuch that, unless £1,100

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summer establishment, upon the laying down of their arms, out of such their quarters which were assigned unto them, and from which they received contribution in May last, or within the three months afore, or otherwise where Col. Sankey shall see convenient to charge it, in the defect of the assignations mentioned; provided that these, or any of these extend not to the exempting of any that had a hand in any murder or massacre during the first year of the war, from being tried according to due course of law, or are guilty of murder or massacre since, or any of the Parliament's parties that deserted their colours since the Lord General Cromwell's first coming to Ireland.

10. That no horseman shall embezzle his horse, or arms; or foot soldier his arms upon penalty of being deprived of the benefit of these Articles.

11. Those of Col. Grace's party who are prisoners shall be released upon laying down of the arms of the party, who shall either have liberty to go beyond sea, or live in protection, giving in security not to act anything prejudicial to the Parliament.

Lastly, that hostages shall be delivered to Col. Sankey for the surrender of the fort. Signed Richard Grace; being present Dan Abbot, Richard Le Hunt, Owen Molloy. Articles of Capitulation, ff. 47-8.

[1] Capt. Robert Thelwall came to Ireland in 1648 with Reynolds. He seems afterwards to have found employment as Quartermaster of Lord Conway's troop of horse.

[2] Articles agreed on by Capt. Henry Sankey, by authority from Commissary-Genl. Reynolds on the one part, and Capt. Wm. Kelly by authority and on the behalf of Major Charles Kelly on the other part:—

1st. That Major Charles Kelly, Capt. Wm. Kelly, Capt. Wm. MacDonough Kelly and Capt. Hugh Kelly shall upon 8th of July next deliver up at Roscommon, to such as Commissary-Genl. Reynolds shall appoint, the horses, saddles, and arms of the four troops under their commands, and that Capt. Laughlin Kelly, Capt. Wm. Kelly, and Capt. Ferdoragh Kelly shall also at the time aforesaid, at Roscommon, deliver up the arms of the three foot companies under their command.

2. That the said officers and soldiers, both of horse and foot shall, upon delivering up their arms as aforesaid receive one month's full pay, according to their summer allowance, out of the places of their last assignations, and that the officers and soldiers of horse, that shall then deliver up their arms shall receive full payment for their horses, as they shall be rated by two officers of such [each] party, and if they do not agree, one umpire of each party to be chosen, which are to have voices by turn.

3. That the said Major Kelly and the officers abovesaid, and all other officers and soldiers under their command, that shall deliver up their arms as aforesaid, shall enjoy all their personal estates, and corn in ground, paying contribution for the future as the rest of the country, and shall not be questioned for anything done by them during the war (except what is hereafter excepted) and shall upon a settlement have the benefit of such favour extended to them for their estates real, as the Parliament of England shall give to any of this nation in their condition or qualification.

4. That the said Major, or any other of the said captains, by his appointment, shall be allowed to transport for the service of any foreign prince or State in amity with the Commonwealth of England a regiment of foot, consisting of 1000 men of the said persons laying down arms, and such other of the family of

be paid out of the Grand Treasury to pay off the said Irish party, that county will be of little or no advantage for the future. Whereunto we return you this account, that the Grand Treasury is not at present in a condition to issue out so much money out of course, and if it were, we are so limited in our power and the Treasurers in theirs for the issuing of it, that we cannot justify so irregular an act, which would tend much to the prejudice of those that made those concessions, if the Parliament, who have not expressed very much satisfaction in treaties or articles of that nature, should come to understand that their treasury sent from England is issued out for the performing of the terms given the rebels for the laying down of arms. We cannot take delight in the devastation of any country, nor may we do any act so unsuitable to our trust, as to postpone the concernments of the Parliament's forces in their necessary maintenance, to that which is now demanded by the Irish upon articles, it being not intended (as we conceive) by any, that were parties to those Articles that the maintenance of the Parliament's forces out of that or any other county should cease or be respited, until the terms given the Irish were performed. We cannot see why that county is now less able to perform with the Irish the terms agreed upon, than they were formerly to pay them much more in an arbitrary and destructive way when they were in arms against us.

"You mention two inconveniences that will ensue if the Irish

Kelly and their friends, as shall go with them, the said regiment to be transported within three months or sooner if it may be, to which purpose it shall be lawful for them to employ a messenger into Spain (if they cannot agree with the Spanish agent here), and if they cannot effect the same within the three months aforesaid, upon application to the Commissioners of Parliament or others in chief command, a competent enlargement of time as they shall think fit is to be given them, during all which time it shall be allowed the said Major to keep 4 horses for himself and 3 servants, who may ride with their arms; each captain of horse, 3 horses for himself and 2 servants; each captain of foot 2 horses for him and one servant; each Lt.-Cornet and Quartermaster of horse, one horse: all which officers and their said servants may ride with their arms; and each lieutenant and ensign of foot to wear their swords, they acting nothing prejudicial to the Commonwealth of England, or present Government.

That such prisoners belonging to the said troops and companies, in laying down arms, as are in the hands of any of the Parliament's forces, and such of theirs as are in the hands of the said Kelleys shall be also enlarged.

That the benefit of these Articles shall not extend to any person guilty of the murders or robberies of the first year of the war, nor to any murders after quarter given only, or upon persons not in arms.

That the said Major shall give unto Commissary-Genl. Reynolds hostages for performance of all the Articles. In witness whereof the said Capt. Henry Sankey and Capt. Wm. Kelly have hereunto set their hands and seals the last day of June 1652. Articles of Capitulation, pp. 94-5.

be not paid off as you propound:—1st. That they will take free quarter from the country until they be paid. We do not remember that any such thing is granted them by the Articles, and if it be meant a livelihood as they are men, that must not be denied them, [and] although they be paid off, the county that bred them must maintain them, and if they betake themselves to honest callings, they will be no burden to the country. 2ndly. That necessity will make them run out into arms again. They will hardly run into those arms they have laid down, and, if their necessities be very great, they are not in a condition to furnish themselves considerably with new arms. Such of them as are not peaceably minded and will not put themselves into an honest course to live by their industry, but have gotten a habit of living by robberies, will (notwithstanding their pay) turn woodkerns and thieves. We do not write this unto you to the end that their conditions should not be made good unto them in the way which the Articles provided for; but that in our performance with them we should not neglect the duty we owe to those whom we serve, by retarding the provision that is made for the necessary maintenance of their forces.

"If Galway men had declared their acceptation of their conditions, according to the qualifications and limitations the Commissioners of Parliament made, (which is the uttermost as we understand the Parliament will condescend unto) £1100 of that £5000 which they are to pay, might have been borrowed and lent to the County of Roscommon, to be paid by the county by such monthly instalments, as should be by you thought reasonable; or, if they will lend so much of the said £5000 (for that end) upon assurance given them of repayment of the same in six months, if within that time their conditions be not settled, and the said sum allowed in part of payment of the said £5000, we shall give our consent unto it. We cannot think of any other expedient to prevent the levying of the said great sums you mention upon the County of Roscommon. We do not approve of paying for winter forage out of the accruing contributions (as your letter mentions) the hay being appointed in all places to be paid for out of the Revenue of the Excise. . . ." Drogheda, 20 Aug. *Ib.* ff. 244-5.

244. Ordered that head-money be offered for the following traitors, who have not accepted the benefit of the Kilkenny Articles viz. Lord Iveagh £200, Lord Enniskillen £200, Sir Phelim O'Neill £300, Sir (*sic*) Philip McHugh O'Reilly £200, Col. Myles O'Reilly £150, Col. Myles MacSwiney £100, Col. Collo MacMahon £100, Col. Brian MacMahon £100, Col. Hugh MacMahon £50, Lieut.-General Farrell £200. [23 Aug.] Orders A/82. 42. f. 313.

245. THE COMMISSIONERS TO COMMISSARY-GENERAL REYNOLDS.

Inform him that they are in good health but that the sickness had increased in Dublin, fifty having died there last week of all diseases. Drogheda, 24 Aug. Domestic Corresp. A/90. 50. ff. 248-9.

246. INSTRUCTIONS FOR OLIVER CROMWELL, CAPTAIN-GENERAL OF ALL THE FORCES RAISED BY AUTHORITY OF PARLIAMENT, CHARLES FLEETWOOD, COMMANDER-IN-CHIEF (UNDER THE LORD-GENERAL CROMWELL) OF THE FORCES IN IRELAND, EDMUND LUDLOW, LT.-GENERAL OF THE HORSE IN IRELAND, MILES CORBETT, JOHN JONES AND JOHN WEAVER ESQS., OR ANY THREE OR MORE OF THEM, APPOINTED COMMISSIONERS (BY THE PARLIAMENT OF THE COMMONWEALTH OF ENGLAND) FOR ORDERING AND MANAGING THE AFFAIRS OF IRELAND.

"1. You are to endeavour by the best ways and means you can to preserve the peace of that nation, and that the people there may have right and justice duly administered to them; and to that end (as near as the present affairs will permit) you are to see that the laws of England, as to the matter of government and administration of justice be put in execution in Ireland; and you are authorised to erect, allow, alter or continue any court or courts of justice or judicatories in any place or places in Ireland, with all rights, powers, jurisdictions, incidents, and necessaries, requisite for the same, and to appoint and place in every of them such judges, justices, officers and ministers, and to appoint for every of them respectively such salaries and allowances, and to issue forth such commissions and deputations for the execution thereof, as you shall judge needful and most conducing to the peace and good of that people, and to the settling of them in obedience to the Parliament of England, until further resolutions be taken by the Parliament concerning the same; and you are to cause such seals to be made and used in the courts of justice, or for passing grants, or transacting proceedings there, as are or shall be in that behalf by the Parliament of the Commonwealth of England directed and appointed.

"2. You are to cause the Act, entituled An Act for the settling of Ireland[1] (whereof several printed copies are herewith delivered unto you) to be published and dispersed in the several provinces of Ireland, in such manner as you shall think fit, to the end that all the people of that nation concerned therein may understand what the intentions of the Parliament are towards them, and you are to take care that the same be put in execution accordingly.

"3. You are to consider of the readiest and best ways for the settling that country, and present your opinions therein to the Parliament as there shall be cause.

"4. You are to endeavour the promulgation of the Gospel and the power of true religion and holiness there, and to cause competent maintenance to be allowed and duly paid out of the public revenue, to such ministers and persons of pious life and conversation and well-affected to the Parliament of the Commonwealth of England, as are fitly qualified with gifts for preaching the Gospel and instructing of the people there in godliness and honesty, and to take care that all due protection, countenance and encouragement be given thereunto by all in authority under the Parliament, and to put in execution all Acts, Ordinances and Orders of Parliament now in force against pluralists, malignants and scandalous ministers.

"5. You are to consider of all due ways and means for the advancement of learning, and training up of youth in piety and literature, and to promote the same by settling of maintenance upon fit persons to be employed therein.

"6. You are authorised to remove out of any office or place of civil government in Ireland any magistrates, governors, officers or others, whom you shall find unfit for the trust reposed in them, or to be dangerous to this Commonwealth, and you shall place others in their rooms as you shall see cause, fitted for such employment, for the better advancement of the service of this Commonwealth and for the good and peace of the people thereof.

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[1] Passed 12 Aug. 1652. See Firth and Rait, *Acts and Ordinances*, ii, pp. 598-603.

"7. You are to take care that no Papist or delinquent or disaffected persons be entrusted with, or any way employed in the administration of the laws, or execution of justice, or of any office or place of trust in Ireland.

"8. You are to take care that no Papist or delinquent be permitted, directly or indirectly to practise as counsellors-at-law, attorneys, or solicitors, nor to keep schools for the training up of youth.

"9. You are to inform yourselves of the state of the ancient revenue and all profits of forfeited lands in Ireland, and to cause all forfeitures and escheats to be improved for the best advantage of the Commonwealth, and to cause all Acts, Ordinances and Orders of Parliament, now in force in this Commonwealth for the sequestering delinquents' and Papists' estates and of the estates of archbishops, bishops, deans and chapters to be put in execution in Ireland; and also to put in execution all Acts and Ordinances of Parliament for levying and receiving of the duties of customs and excise, at the same rates and proportion expressed in the said Acts and Ordinances for levying the same in England.

"10. You are authorised, by yourselves, or such as you shall appoint (fit for that purpose) from time to time, as you shall see cause upon the place, to impose and lay taxes and assessments upon the lands and goods of the people of Ireland not exceeding £40,000 per month towards the pay and maintenance of the army and garrisons there, and for the defraying of the public charges and carrying on the affairs of this Commonwealth in Ireland in order to the execution of these Instructions, and as much as may be for the ease of the charge of the Commonwealth; and you are also by yourselves or such as you shall appoint, to set and let all such lands, houses and other hereditaments whatsoever in Ireland, as are or shall be in the disposal of the Parliament of England, as also the rents, issues and profits of all ecclesiastical benefices of such ministers as shall be ejected, and of all such other ecclesiastical promotions and benefices as are or shall become vacant and not otherwise disposed of by Act or Order of Parliament, for such term of years, not exceeding seven years, and at and under such rents or other conditions as you shall conceive to be most for the public advantage; and you are to give such directions or instructions, as upon the place you shall think fit, concerning the public revenue, the customs, fisheries, assignations or any other affairs relating to the public revenue arising out of that nation.

"11. You are authorised by warrants under your hands, from time to time to charge the treasury and public revenue arising out of that nation, and to dispose of so much thereof, as you shall judge necessary for the carrying on and effecting of anything in these Instructions or in pursuance thereof, and you are to appoint receivers, collectors, and all officers and ministers needful for the raising, collecting, receiving, managing and issuing of the said public revenue, and to allow them and every of them fitting salaries for their service therein, and your said warrant, for the issuing out or disposing of any sum or sums of money out of the said revenue, shall be a sufficient discharge to the said officers respectively for the same. All other warrants for payment of the army either in money or provisions, or the incident charges thereof, and likewise all warrants for ammunition to be delivered out of the public stores, being to be issued by the Commander-in-Chief of the forces in Ireland.

"12. You are to cause to be put in execution effectually all laws now in force against the counterfeiting, clipping, washing, or debasing of coin, and are empowered to put forth proclamations as you shall think fit for suppressing thereof.

"13. You are from time to time to commissionate and appoint judges, justices, commissioners, ministers and such other persons as you shall judge requisite for the putting in execution all and every of these Instructions, and to order and appoint them fitting salaries and allowances for the same, with regard had to the ease of the charge of this Commonwealth, and from time to time to remove and displace them or any of them, and to place others in their rooms as you shall see cause for the public service there.

"14. You are hereby authorised and empowered to erect and make use of, or command any press or presses there for printing and publishing any proclamations, declarations, orders, books or other matters which you shall think fit for the public service, and to prohibit the use thereof by any person, or in cases where you shall see cause.

"15. You are authorised to send for in safe custody, and to commit to prison or otherwise to restrain such persons in Ireland (not under the military command) whom you shall at any time find to be anyways dangerous to this Commonwealth, and such, as shall be by you imprisoned or restrained, to release and discharge out of prison or restraint again at any time when you shall see cause to do the same for the advantage of the public service; and you are authorised to remove from their places of residence or habitation, and to send into England or into such other places as you shall think fit, any persons, whose residence in those parts from whence they are to be removed, you shall judge dangerous to this Commonwealth or prejudicial to the authority thereof or the peace of that nation, and you may give licence to any persons, that shall be by you so removed, to return again to their places of residence or habitation at any time when you shall see cause for the advantage of the public service there.

"16. You are authorised by yourselves, or such as you shall depute or appoint for that purpose, to administer any oath or oaths to any person or persons whatsoever in pursuance of these Instructions, or in order to the execution thereof.

"17. You are to consider with the Commander-in-Chief of all due ways and means for lessening the public charge of the Commonwealth there, either by reducing the forces into fewer regiments, disbanding supernumeraries, demolishing of castles or garrisons, or by moderating and regulating the present establishment of the pay for the said forces, or by taking away any other superfluous charge of what kind soever wherewith the public revenue is charged, and to put the same into practice and execution with such convenient speed, as the condition of affairs will admit and as you find the same may stand with public safety and advantage.

"18. You are authorised to be present at all councils of war and to give such advice as you shall see cause.

"19. All officers and soldiers of the forces of this Commonwealth in Ireland, and all other persons residing or being there within the power and protection of this Commonwealth are hereby commanded to be aiding and assisting to you for the better execution of these Instructions.

"20. You are to give frequent and timely notice of your proceedings in the execution of these Instructions unto the Parliament, or to the Council of State.

"21. You are to take effectual care for the preservation of the timber in Ireland, and to use all such ways and means for preventing the mischiefs and inconveniences of felling timber there as you shall think fit."

(Signed) Hen. Scobell. Clerk of the Parliament. Passed Aug. 24, 1652. Commissions and Instructions A/27. 25. ff. 10-17.

247. THE COMMISSIONERS TO THE COUNCIL OF STATE.

" . . . There is here likewise a strange mortality amongst horses, which you will find mentioned in Col. Sankey's letter, and is spread into this province. The Lord teach us to kiss the rod and turn to him that smiteth that we may be healed." *Enclosed.*

247 (i). THE ENSUING ADDITIONAL PAPER.

"The Lt.-General is gone with a party towards Ulster and Sir Charles Coote, Commissary-General Reynolds, Col. Venables, with their several parties, having first made considerable garrisons in several places, do shortly intend to beat up the fastnesses of the enemy in Ulster; and in the meantime the Lt.-General, having made good garrisons in the County of Monaghan, where hitherto you have had no footing, is now about making of a third, which, being finished within these two or three days, it is hoped the several parties will be in a readiness to fall on the enemy to enforce them to engage (which is not very likely) or to disperse." Drogheda, 25 Aug. Domestic Corresp. A/90. 50. ff. 251-3.

248. SAME TO LIEUTENANT-GENERAL LUDLOW.

" . . . We received a despatch from England wherein the enclosed papers came, which contain all the intelligence we received at this time. We conceive it to be a matter of great concernment to consider what is necesary to be done in prosecution of the enclosed Act,[1] as well in publishing the same and in prescribing a time for the coming in of such as stand out, and also what course to take with those that are excepted from pardon, and what time to give to those that are banished. We conceive it a matter very necessary for your special consideration how your forces may be best ordered for the prevention of disturbance in the country upon the publishing the Act, which may probably be endeavoured by those that are made incapable of pardon, they being very numerous and of great interest. The placing so many forces in garrisons makes your strength less considerable for the field. We only mention this that you may advise with those commanders upon the place what is fit to be done in those parts where you are, in order to the securing those countries, and that your stay in those parts be no longer than is of absolute necessity." Drogheda, 30 Aug. *Ib.* f. 261.

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[1] The Act of Settlement, passed 12 Aug. 1652. For an analysis of the Act (which is too long here to print) see Gardiner's "Transplantation to Connaught" in *Eng. Hist. Review*, Oct. 1899.

249. SAME TO THE COMMANDERS-IN-CHIEF.[1]

"We have received lately the Act of Qualifications[2] from England, and we are assured that several copies of it are dispersed abroad, so that, there being very many persons and of very great interest excepted from pardon for life and estate therein, we know not what disturbance it may breed by those who now see their condition desperate. Many of them have still their men so in quarters, that they may in a very short time bring them together; and although they be generally disarmed, yet you cannot be ignorant what number of horses and arms are still in the possession of their officers, and therefore we thought fit to give you this advertisement, and desire your watchfulness over them, and special care that none of the Irish party, that have laid down arms, be admitted to have meetings together, or to travel from county to county, without special licence from the Commander-in-Chief of the precinct they live in, and that you will be very cautious not to grant any such licence, without very good grounds; as also that you do take some care not to swallow up all your forces in garrisons, so as to disable yourself for field service, in case of any attempt. We hope Lt.-General Ludlow (who is now in Ulster) will speedily be with us, and then, if need be, further directions shall be given concerning this business. In the meantime we recommend it to your special care, and watchfulness and rest yours." Drogheda, 30 Aug. *Ib.* f. 262.

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[1] Viz. Broghill, Coote, Waller, Sadler, Phaire, Stubbers, Sanders, Sankey, Lawrence, Ingoldsby, Axtell, Pretty, Leigh, Nelson, Hodden, Standly.

[2] *I.e.* the Act of Settlement.

250. SAME TO SIR CHARLES COOTE.

" Some gentlemen of the County of Galway have lately presented us with a petition in the behalf of that county, together with several grievances of heavy burdens and oppressions laid upon them by the soldiers of that precinct, which (if true) are of so sad a consequence, both to the discipline of the army and the county (which as they say is thereby almost ruined), that we cannot but desire and endeavour to have a speedy account thereof. To which end we desire your Lordship would peruse the grievances enclosed, and with all possible speed examine the truth of them, as also what persons are concerned in it, and then certify to us the whole state of the business, both as to the matter of fact and the grounds and reasons thereof ; and in the meantime, as many of the complaints as you find true we desire that redress may be made therein, and that the soldiers be not suffered in an arbitrary way to take goods from the country people that live in protection and do pay their contribution, the permission whereof will tend to the wasting of the country and destroying of the assessments. And truly, my Lord, although (there being no certain matter of fact before us but only a general complaint) we cannot at present declare our own sense in these particulars, yet we desire to mind your Lordship that it is a matter of very evil consequence to give countenance or encouragement to that exaction of dry quarter, and the irregular destructive course of taking up beans, provisions and meat in their marches and for their garrisons, without paying for the same to the satisfaction of the country. Also we desire your special care in the examination of this matter and certifying of it to us, and in the meantime that no dry quarter, provision, meat etc. may be taken from the county, but as the rest of the army receive them from other places. We do commend the consideration of these things to your care that, by the discipline of the army, such grievances of the country may be redressed for the future, and that the country be not necessitated to complain elsewhere." Drogheda, 31 Aug. *Ib.* f. 264. *Enclosed.*

250 (i). THE GRIEVANCES OF THE COUNTY OF GALWAY.

"1st. Forage of oats and dry quarter paid last year, for which no satisfaction is as yet given though often promised.

"2nd. Beans and sheep taken up by garrisons at such rates as they please to give for them, whereas the inhabitants have no other subsistence to raise their contribution.

"3rd. Horses and men pressed for carriage without consideration given.

"4th. Meat and drink taken by the soldiers in their march gratis.

"5th. The inhabitants not being able to provide bedding, firing and candle-light for the garrisons, which are resident amongst them, do give to each soldier two shillings and sixpence per week, which is unreasonable.

"6th. Some baronies of the said county are assigned to contribute to bear part of the dry quarter of the garrison of the town of Galway, which the said baronies bear besides their contribution and the dry quarter, which they pay to the garrisons residing amongst them. That hay, when it is offered to be carried into the garrisons, is refused, and demanded to be brought in as they spend it." *Ib.* f. 265.

251. SAME TO THE COMMISSIONERS OF REVENUE AT GALWAY.

"We perceive by a warrant we have seen of yours, that you have inhibited all landlords in the County of Galway to contract for, demand, or compel any rents or duties; and although we doubt not, but when you did it, you had not only a good end, but might have also very good grounds for it, yet at present we do not conceive it so convenient, in regard it will disable the richer sort from paying their contribution, upon whom it must lie at last, and therefore we desire the said order may be recalled and voided. . . ." Drogheda, 31 Aug. *Ib.* f. 256.

252. Ordered by the Commissioners that two women, condemned to be burnt for murdering two children, be hanged instead, according to English law. 31 Aug. Orders A/82. 42. f. 311.

253. Same to Colonel Stubbers.

"We have had application made unto us by divers persons, in the behalf of the town of Galway and the persons concerned in the Articles upon the surrender of Galway, to whom we could give no positive answer until we had received their acceptation of the conditions of the said surrender, as the same were qualified and limited by the Commissioners of Parliament, on the behalf of the Commonwealth, a copy of which qualifications and limitations we have sent you here enclosed, and desire you to call such of the said persons as are concerned in the said Articles, and desire to have any benefit by them, before you, and to tender unto them the enclosed qualifications to be subscribed by them, testifying their acceptation of the same, and that you do return unto us the said subscriptions, and likewise the names of such of them as refuse to subscribe the same, and you are hereby authorised to signify to all such persons as shall so subscribe the said qualifications and limitations and to accept thereof, that all such persons respectively shall have the benefit of the said Articles of Galway, according to the true intent and meaning of the said Articles and of the said qualifications and limitations." Drogheda, 2 Sept. Domestic Corresp. A/90. 50. f. 257.

254. Same to the Commissioners of Revenue in Ulster.

" . . . We conceive that, as the condition of affairs now stand in Ireland, the cautions and provisions, contained in the declaration you sent us, are too strait and narrow to give relief to the parties damnified, and holding forth too much countenance to that wild course of life, which the Irish practise in creaghts,[1] and which of any one thing doth yield most relief to the enemy, and therefore we desire that all the creaghts may be broke, and that they may be fixed in families apart in convenient quarters, where they may till the ground, and the enemy gain no relief from them, and therefore we intend shortly to hold forth some rules to that end. We have sent you the enclosed declaration [wanting] (which we desire may be observed) touching reparations to be given for losses by the enemy. . . ." Drogheda, 4 Sept. *Ib.* f. 268.

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[1] The creaghts (Hib. creach, a herd of cattle) were a sort of Irish gypsies, who having no fixed abodes of their own, wandered up and down the country with their herds of cattle, from one boly (buaile) or pasturage to another. Spenser (*View of Ireland*, Globe Ed., p. 630) thought he saw in the custom a proof of the Scythian origin of the Irish; but there is no necessity to go so far afield. The custom was one probably brought by the Celts from their original homes in the Bavarian highlands, where the practice of driving the cattle in summer from the low-lying lands "auf die Almen," or on to the mountain meadows, still prevails. The word is sometimes written kerriaghts, from caoraidheacht, meaning the same as creaghts.

255. SAME TO COLONEL AXTELL.

"We have received a petition from Colonel Walter Bagenal[1] desiring his wants and present condition be taken into consideration. We desire you to take especial care that there may be some effectual course taken that his necessities may be supplied. . . ." Drogheda, 4 Sept. *Ib.* f. 269.

256. Ordered by the Commissioners that the Irish included in the Kilkenny Treaty hold no meetings without notice thereof first given to the governor of the respective precinct where they shall meet. 4 Sept. Orders A/82. 42. f. 320.

257. THE COMMISSIONERS TO THE RESPECTIVE OFFICERS HEREAFTER NAMED.

"Upon consideration had of the late Act passed the Parliament concerning the settlement of this nation, which we do hear is untimely dispersed amongst the Irish, the Instructions and other powers from the Parliament concerning the execution thereof being not yet come to our hands, so as we do not think it seasonable to put the same as yet in execution, and hearing that some of the gentry and others, that have interest with the Irish, have had some meetings of late, and not knowing what may be the issue of those meetings, we do again desire you to give notice to all the officers and commanders in your precinct to be very vigilant, lest by security there be any surprisal of any garrison, or castle, or any troops in their grazing or careless marches; and, till there be some further directions sent to us, we have thought fit to commend this Order here enclosed [? No. 256] unto you, and desire your care to have the same communicated to such whom it doth or may concern. Last Saturday Sir Walter Dungan, Sir Richard Barnewall, and Sir Robert Talbot[2] came to us about their own business and we did then deliver the same unto them. Lt.-General Ludlow is still in Ulster, and we do hope the work there will be so far despatched, as that he may come to us by the end of the next week to this place or Dublin, where we do purpose to be if we hear not in the meantime of the arrival of Lt.-General Fleetwood." Drogheda, 6 Sept.

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[1] See note, p. 148, and *cf.* Ludlow, *Memoirs*, i, p. 330. [2] See p. 277, note.

To the Governors of Dublin, Carlow, Wexford, Kilkenny, Cork, Clonmel, and Waterford, and to Col. Venables, and the Governors of Athlone, Limerick and Galway. Domestic Corresp. A/90. 50. ff. 269-70.

258. Ordered by the Commissioners that Belturbet Precinct, viz. the counties of Monaghan, Cavan and Fermanagh be assessed at £1000 *per mensem.* Drogheda, 7 Sept. Orders A/82. 42. f. 322.

259. Ordered that authority be given to the respective Governors of Waterford, Kinsale and Cork to impress such ships as shall be requisite for the transportation of 1000 men into foreign parts. Drogheda, 8 Sept. *Ib.* f. 324.

260. THE COMMISSIONERS TO COLONEL AXTELL.

" Sir Walter Dungan came to us this day, in the behalf of the Irish party that have submitted upon articles, and informs that the said party have an apprehension that they shall be proceeded against for acting in the first year of the Rebellion as soldiers, notwithstanding the explanations, made in writing upon the said articles, of what should be accounted murder, and further explanations made by word of mouth by the Commissioners of the Treaty for the Parliament or some of them as he allegeth. Upon consideration whereof we have thought it best, in order to give all due satisfaction to such as are concerned in those articles, to respite the trial of such as are under present restraint, in order to their trial, until the General's coming over, by whom we expect to receive some further instructions from the Parliament how to proceed in matters of that nature, whereof we thought necessary to give you this notice, and to desire your special care that the prisoners now in your garrisons may be kept very safe, and, if you have not conveniency at Kilkenny to keep them safe, that then you cause such of them, as you think necessary, to be safely conveyed to Dublin and Waterford, there to be disposed of as the Governors shall direct in order to their safe keeping, till they shall receive their trial or till further order from the Commander-in-Chief or ourselves." Drogheda, 8 Sept. Domestic Corresp. A/90. 50. f. 280.

261. SAME TO MR ROBERTS.

"Lt.-General Ludlow in his march northward hath planted a garrison in Carrickmacross in the County of Monaghan, wherein he hath placed Major Moore,[1] of Col. Ingoldsby's regiment, governor, and likewise another garrison in Castle Blaney in the same county, wherein he placed Captain Baker, of his own regiment, governor. . . ." Drogheda, 9 Sept. *Ib.* ff. 281-2.

262. Ordered by the Commissioners that 600 copies of the Act of Attainder passed against the rebels at the beginning of the Rebellion, with the like number of Ormond's Articles be bound up with the Act, lately passed, for the settling of Ireland. 10 Sept. Drogheda, Orders A/82. 42. f. 326.

263. Licence for Peter Walsh,[2] who is about to be transported, to live in the Parliament's quarters for twenty-eight days. 11 Sept. *Ib.* f. 329.

264. THE COMMISSIONERS TO COLONEL AXTELL.

"Since our last to you touching Colonel Walter Bagenal we received another petition from him, complaining that he is of late deprived the conversation of any friend. We do not know what extraordinary reason there may be for it, and therefore shall not give any positive direction in it; but we do think fit that, so far as may consist with the safe keeping of him, all civility may be showed him, and that his friends may be admitted to him, provided it be with your licence, and that they come in such number and at such times as you shall think fit. . . ." Drogheda, 11 Sept. Domestic Corresp. A/90. 50. f. 285.

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[1] Major William Moore afterwards went to Jamaica in command of the Irish contingent. Returning to Ireland, he was included in the Act of General Pardon; but in 1663 took part in Blood's plot to upset the Government. He seems to have escaped, and is noted as wandering up and down the country in 1665 in disguise, inciting rebellion (*Cal. State Papers*, Irel., 1665, p. 662).

[2] Probably Peter Walsh, the author of *The History of the Remonstrance.* See his Life in *Dict. Natl. Biog.*

265. SAME TO LIEUTENANT-GENERAL LUDLOW.

" . . . Here is one Colonel Mayo that hath commissions for 3000 men to carry into Spain. He saith that at Wexford and Waterford there are ships, money, victuals and all necessaries provided for them. We could wish the Commissary-General would quicken up the Leinster officers to take this opportunity. . . .

"*P.S.*—The £8000 which came from Waterford is wholly disbursed, as appears by account from Mr Bowles." Drogheda, 12 Sept. *Ib.* f. 288.

266. SAME TO LIEUTENANT-GENERAL FLEETWOOD.

"This morning your letter of the 11th inst. brought us the welcome news of your safe arrival, for which we desire to bow our knees and lift up our hearts in all thankfulness to the Father of all mercies, that, in the midst of these storms in this tempestuous season, hath vouchsafed his sweet and great mercy to you and our dear friends with you. As to our coming to Kilkenny we shall hasten the same, as soon as this distance can with any conveniency afford opportunity, and do hope that on Saturday night we shall, by the help of God, be ready there to meet with you, or to receive your further commands. The Lt.-General of the Horse is now in Ulster,[1] where he hath been this month last past, and we hope that work he designed by his going thither is near accomplished, and his last letter signified to us that he did purpose to return hither the ending of this week; but we do make some doubt thereof, and therefore have sent to him the news of your arrival. His lady doth to-morrow remove with us to Dublin and there to stay till his return thither.

"Yesterday came to us the sad news of the surprisal of forty-six of Capt. Baker's horse at Castle Blayney, one of our young garrisons in that wasted county of Monaghan, whiles they were grazing. The remoteness of the frontier place, being in the bowels of the enemy's fastnesses, may answer in some measure for the officers that there command. Yesterday Colonel Mayo was with us, who is licensed by the Council of State to transport 3000 men for the King of Spain's service, as also the Earl of Westmeath and Sir Walter Dungan. We have advised them to repair to Kilkenny, where counsels may be taken concerning the transporting of some of the Leinster party, wherein hitherto little hath been done; and in order thereto we do humbly conceive it advisable that all the ships now at Waterford, that are not to export men into Spain, may be stayed till further order, and in the meantime some counsels and some effectual course may be taken to carry away the Leinster enemy, which by long staying with us do waste the quarters; and we do also humbly conceive it advisable that the Parliament's ships, that did attend your coming over, may be sent out to observe their former instructions, and that the least of them may be sent to Dublin Bay and thence to Holyhead, about which place we hear there are three or four rogues that infest those coasts. But we desire they may have express orders not to go into Chester or Liverpool water, lest they be barred up there for three months at least. We have no more at present but the tender of our service to yourself and your lady with the rest of our dear friends with you." Drogheda, 14 Sept. *Ib.* ff. 190-1.

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[1] For Ludlow's proceedings in Ulster, see *Memoirs*, i, pp. 327-329.

267. SAME TO THE COMMISSIONERS OF REVENUE AND COMMANDERS-IN-CHIEF IN THE RESPECTIVE PRECINCTS IN LEINSTER.

" We have received information from several gentlemen of the Irish party, who have laid down arms upon the Articles of Kilkenny, that their conditions are not made good unto them in divers places.[1] We therefore thought good hereby to desire that

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[1] Exceptions and Doubts offered by Sir Walter Dongan and Sir Robert Talbot concerning the Treaty, and Explanations thereupon, made at Kilkenny 12 May 1652, in July.

1. That they conceive the 2nd article is not performed unto them, because notwithstanding the liberty therein granted them to transport themselves beyond seas within three months with their goods, Col. Fitzgerald is sued in the Court of administration of Justice.
2. The preys taken from garrisons and other places not paying contribution within the last three months be not defalked out of the officer's means according to the aforesaid article.
3. That the Commissioners of Revenue deny to allow them the rents and profits of their real estates over and above their country charges, according to the explanation of the 6th article, but would limit them to the rent reserved on them that took them for this year.
4. The said Commissioners deny also to give the possession of lands set by them after the agreement to the proprietors who have submitted.
5. It is also desired that the intention of the article be declared thereupon, also the intention of the Commissioners of Treaty for the 20 days' means to be collected by them before the laying down arms not expressed within the Articles.
6. That the Commissioners of the Revenue, who allege they are not em-

the said conditions given at Kilkenny may be punctually performed unto them, and that where any of the arrears of pay remaining due to them, by the said Articles, are unpaid, we desire and expect, that the same may be speedily levied and paid (deduction being first made of the arrears by them formerly received according to the Articles) that the people may be freed from the burden of quarters, that are continued upon them in many places under pretence of the non-performing the said Articles with them. . . ." Drogheda, 14 Sept. *Ib.* f. 292.

268. At the request of Sir Walter Dungan and his agents, it is

powered to act anything in order to the performance of the Articles, be authorised thereunto.

7. That in regard of the slowness in performance of our payment, our agents being not yet despatched to capitulate for the transportation of our men, and the time limited in the 2nd and 4th articles being near expired, the six months further time, promised by the Commissioners upon the Treaty, is now humbly desired.

8. That three companies formerly quartered in the King's County, whose quarters are possessed by Grace, may be paid out of the quarters in the County of Carlow, and the orders to that purpose be sent to the Commissioners of the Revenue.

9. That the hostages be released according to the intention of the 10th article.

10. That it was agreed on upon the Treaty that the general officers should not be liable to answer out of their personal pay for such preys and robberies as were committed by parties without authority, nor to abuse [? abate] anything but what they received of their said pay, for which order is desired according to the article of Arrears and the intention of the Commissioners of the Treaty thereupon, it being not done.

11. That it was agreed that the arrears of the last three months' assignation should be satisfied, for which order is desired according to the said article.

12. That if any scruples shall hereafter arise upon the Articles, it is humbly desired that any of the Commissioners of the Treaty, who shall be near at hand, be appointed to expound the said scruples, as often as they shall be presented unto them.

13. Forasmuch as they who opposed the Articles pretend that they stood out to adhere to the King's authority, your Honours may be pleased to appoint some officers to receive such of them as will submit now, in regard the said authority is withdrawn.

14. That such of our clergy as are prisoners be enlarged and possessed (*sic*), and protection given them, and such others of our clergy as shall desire the same, in order to their transportation beyond the seas. W. Dongan, Robt. Talbot.

Answers made by the Commissioners of Parliament to the Exceptions and Doubts put in by Sir Walter Dongan and Sir Robert Talbot.

1. To the first we refer to the explanation of the 2nd article about personal estates, in which it is declared in what cases they are to be freed from suits, and in what cases they may be sued, of which all officers of justice are hereby required to take notice and to proceed accordingly.

2. Where preys have been taken from garrisons within the command of the said garrison, or where horses have been taken from soldiers, no abatement ought to be made in payment of arrears in such cases ; but where preys have been taken from any inhabitant of a barony out of the command of a garrison, in such cases such preys are to be abated upon the account of arrears.

thought fit and ordered by the Commissioners that the Commander-in-Chief and Governors in the respective precincts within the Province of Leinster, do cause drums to be beaten within the respective garrisons, in order to the rallying and bringing to a rendezvous such officers and soldiers as laid down arms with him and are willing to be transported. 29 Sept. Orders A/82. 42. f. 342.

269. At a serious debate had by a Council-of-War at Kilkenny upon the articles drawn between Commissary-General Reynolds

3. Here is no more to be challenged by the additional explanations of the article concerning real estates, than the rents and profits reserved to the State above country charges out of the estates etc.

4. That such estates as were let before the Commissioners of the Revenue, that set them, had notice of their agreement made at Kilkenny, ought to remain to such tenants as took them from the State; but those estates that have been let since the said Commissioners had notice of the above said agreement, ought to be put into the possession of the respective owners, who have the benefit of Kilkenny Articles, notwithstanding any bargain or lease made by the said Commissioners after notice of the agreement aforementioned.

5. Of this there is no mention made in the Articles or explanation; yet if it shall appear, by due proof upon oath before the Commissioners of Revenue of the respective precincts, that they received no free quarters within the said 20 days, but paid for what they received within that time, then we are of opinion and declare that allowance be given for so much of the said 20 days' pay as shall be made appear to be unsatisfied as above said.

6. The Commissioners for administration of Justice and also the Commissioners of Revenue within their respective precincts, according to their respective powers, are hereby respectively authorised and required to cause the Articles of Kilkenny with the Explanations of the said Articles then and there made in writing, and this declaration to be put in execution according to the true intent and meaning thereof.

7. That such officers of the Irish party as shall desire further time for transportation of their men, in pursuance of the Articles made at Kilkenny, and shall bring in writing a list of their said men and places of their abode, and shall engage themselves that they and their said men shall not in the meantime be chargeable to the country, upon such engagement given to the Commissioners of Parliament, or to the Commanders-in-Chief of the respective precincts, further time shall be granted for transportation; provided the time to be given shall not exceed six months from the date of the said Articles.

8. That the Governors in the respective precincts give all assistance and furtherance to the officers of the said three companies for recovering their arrears and pay due to them by the Articles out of their former quarters.

9. Order is already taken in that particular.

10. Orders shall be given for raising the general officers' arrears, with such deductions as are mentioned in the article provided in that behalf, and no other.

11. All arrears of the last three months' assignations are to be collected and paid with deductions according to the additional article for Arrears.

12. We refer to the answer before given to the 6th Exception or Doubt.

13. This is referred to the Commanders-in-Chief of the respective precincts, who are to do therein according to the trust and power reposed in them.

14. All of the Popish clergy submitting to a trial, and not being found guilty of the offences mentioned in the 7th article shall have passes to go beyond the seas.

Dublin, 31 July 1652. Miles Corbett, J. Jones. Articles of Capitulation, ff. 19-22.

and Col. Venables and Commissioners appointed by Lt.-General Farrell,[1] touching the laying down of arms by the Irish under him. 1. The question being put, Whether "pardon for life" mentioned in the Articles as to such persons as are excepted

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[1] Articles of Agreement drawn between Commissary-General Reynolds and Col. Robt. Venables on the behalf of the Parliament of England on the one part, and Col. Miles Reilly, Lt.-Col. Philip Reilly, Major Hugh Magneisse and Capt. Lewis Ferrall on the behalf of themselves and the rest of the officers of the Irish party in Ulster and others now in arms against the Parliament, and by commission from Lt.-General Farrell, the Lord Viscount Iveagh and Col. Philip Reilly, on the other part, to be offered and presented to the Commissioners of Parliament.

1. That all the forts, castles, islands and all other places fortified and garrisoned, now under the command of the Irish party in arms in the Province of Ulster, be delivered up to the Commander-in-Chief of the Parliament's forces in Ireland, or whom he shall appoint, together with all arms, ammunition and habiliments of war and stores, without any spoil or embezzlement; and that the officers and soldiers comprehended in these Articles shall deliver up to the Commander-in-Chief of the Parliament's forces in Ireland, or whom he shall appoint, all their horses and arms at or before the 18th day after the Articles are confirmed, by eleven of the clock in the forenoon, at such places as the Commander-in-Chief shall appoint, except that is hereafter excepted, viz. to Lt.-General Ferrall 10 horses and six case of pistols; to each col. of horse 5 horse and 3 case of pistols [etc., proportionably to their rank as in former Articles].

2. That in consideration hereof the persons aforesaid (except such as are hereafter excepted) shall have pardon for life and protection for themselves and personal estates, they submitting themselves to all Acts and Ordinances of Parliament; and also such of them as shall desire it, shall have passes to transport themselves and goods to any place beyond the seas in amity with the Commonwealth of England, within three months after the date hereof, they acting nothing in the interim prejudicial to the Parliament of England, their forces and garrisons.

3. That as to the real estates of any comprehended in these Articles, they shall have equal benefit with others under the like qualifications with themselves in any offer that is or shall be held forth by the Parliament of the Commonwealth of England, and that they shall have liberty to send agents to England, as the Irish party in other provinces, and shall have the benefit of all such concessions, as shall be granted to any of the said agents in the behalf of the Irish party in Ulster for estates or otherwise.

4. That the non-commission officers, troopers and gentlemen, in lieu of their horses shall receive such moderate satisfaction in ready money, as by two chosen on each party, with an umpire for each to appraise who are to have voices by turns, shall be judged fitting.

5. That the commanders and officers included in these Articles shall have liberty to transport beyond the seas 5000 men to serve any foreign State in amity with the Commonwealth of England, and shall have liberty to treat with any agent or agents for that end and purpose within three months after the date hereof, or such further time as shall be judged reasonable, the said commanders and officers undertaking that the men to be transported shall not by any of their will go into any other place than such as they are designed unto by the agreement made with the agent or agents aforesaid, and that the said men be transported from such port or ports as by the Commander-in-Chief of the Parliament's forces in Ireland, or Commissioners of Parliament shall be thought fit, and also give their engagements not to return without licence from the Parliament or their officers commanding in chief or ministers of State in this nation.

6. That at the time appointed for the Irish party to lay down arms a month's pay shall be allowed to the forces which shall appear to lay down their arms,

from pardon by the Act, entitled 'An Act for the Settling of Ireland,' is to extend no further than to give such men licence to go into foreign parts in some convenient time? Resolved in the affirmative. 2. Whether by "protection" within the said

out of their former assignations, according to their summer proportion of pay; provided every captain of horse bring in with him 25 horses and men at least, and each captain of foot 40 men at least, besides all officers; and what of either of these numbers shall be wanting a defalcation shall be made out of the pay of the officers rateably, as they were to receive the same; and for each horseman, who is afoot, upon delivering of their furniture shall receive horseman's pay, and such as have no furniture half-pay.

7. That the benefit of all or any of the foresaid Articles extend not to the exemption of any person from being questioned according to due course of law, who had a hand or were actors in any murders, massacres, and robberies, that were committed upon any English and Protestants in Ireland during the first year of the war, or any murders and massacres since the said first year of the war, committed by or upon any person not being in arms, nor the benefit thereof to extend to any other who have murdered any of the Parliament's party after quarter given, nor to any who have been in protection since 12th August 1649; nor extend to give protection to priests, Jesuits, or any other in Popish orders, otherwise than to grant passes to such as had no hand in the massacres and robberies committed upon the English at the beginning to transport themselves into Spain or any other country in amity with the Commonwealth of England within three months; and if any such, through sickness, or disability of person shall not be able to transport themselves within that time, such further time to be allowed them as by the Commander-in-Chief, or Commissioners of Parliament shall be thought fit; provided during their stay they act nothing to the prejudice of the Parliament of England.

8. That the said officers comprehended in these Articles shall deliver to the Commander-in-Chief of the Parliament's forces in Ireland, or whom he shall appoint, by the 1st of Oct. 1652 a true list of their respective regiments, troops and companies under their command, with their officers commanding them, that are to lay down arms, for whose performance accordingly hostages are to be delivered, viz. one hostage for the forces of each county, who is to be such an officer as the Commander-in-Chief shall make choice of out of the forces of the said counties respectively.

9. That the same liberty shall be given to those of Ulster, as to the Irish forces in other provinces, to send agents to the King of Spain, or his agents or any other State in amity with the Commonwealth of England, and there to make conditions for the Ulster forces; and that they shall have three months' time to transport themselves, and if after the expiration of the first six weeks, for which the month's pay is to be their subsistence, conveniency cannot be had for their transportation, that such further time shall be allowed for their continuance in their assigned quarters, and enlargement of time for their transportation as by the Commissioners of Parliament shall be thought fit; provided they be not further chargeable to the country than as is above mentioned.

10. That Col. Miles Reilly, Capt. Ferrall, or any two officers whom they shall make choice of, shall have liberty to go to the Commissioners of Parliament for the ratification of these Articles; and if this agreement shall not be confirmed by them, that then the hostages shall be returned and all things touching the same be annulled.

11. That Col. Brian M'Phelim Byrne, Col. Donough O'Connor, and Col. Murtogh O'Brien, Col. Carenagh, Col. Dudley Costello and the parties with them shall have the benefit of these Articles; provided they send hostages within six days after notice, and deliver up their arms at the time mentioned for the laying down arms by the forces of Ulster.

12. That if any person or persons shall violate these Articles, it shall be answered by the person offending and none other; provided that the officers

Articles is intended no other than common protection in time of war and not to bind the civil magistrate that he shall not provide for the peace and safety of the nation? Resolved in the affirmative. N.N. The Lord General and Lt.-General Ludlow. A.A. Waller, Broghill, Reynolds, Sankey, Reeves, Abbot, Ingoldsby, Sanders, Clarke, Allen, Judge Advocate, Major Morgan.[1] 30 Sept. *Ib.* f. 350.

270. Ordered that licence be given McKillegott[2] to transport himself and his men beyond the seas, excepting such as are guilty of blood. 1 Oct. *Ib.* f. 346.

271. Ordered that licence be given Colonel Christopher Mayo to transport 3000 Irish into Spain. 1 Oct. *Ib.* f. 347.

272. Ordered that licence be given Colonel Robert Phaire to press the shipping in the precinct of Cork for the transportation of Irish soldiers. 1 Oct. *Ib.* f. 347.

273. Ordered that licence be given the Governors of Wexford, Waterford, Youghal, Cork and Kinsale to press ships for the transportation of 3000 men into Spain. 7 Oct. *Ib.* f. 354.

274. Ordered that a pass be given the Earl of Clanricarde to go beyond the seas. 11 Oct. *Ib.* f. 358.

commanding those persons, who shall make a breach of these Articles, shall use their utmost endeavours to bring them to justice.

13. That all prisoners on both sides be set at liberty without exchange or ransom.

We do hereby undertake on the behalf of ourselves and those by whom we are or shall be authorised if the above written Articles and explanations be ratified and confirmed by the Commander-in-Chief, and Commissioners of Parliament, that we will perform and observe them. Witness our hands 21 Sept. 1652. Lewis Farrall, Miles Reilly, Hugh Magneisse, Philip Reilly. Present: Garret Moore, John Pennefather.

[Added an explanation of the term "murder," as in the Articles of Ross above.] Articles of Capitulation, ff. 104-109.

[1] Major, afterwards Sir Anthony Morgan came to Ireland in 1649. See Life in *Dict. Natl. Biog.*

[2] Probably Lt.-Col. MacElligot; but the name MacElligot is often confounded with that of MacGillicuddy and the person mentioned may have been Lt.-Col. Donough MacGillicuddy, taken prisoner by Broghill in 1651 and described by him as "a man more popular than Muskerry himself in his country" (*Cal. State Papers*, Irel., 1651, p. 305). MacGillicuddy recovered his estate at the Restoration. Both MacElligot and MacGillicuddy were nephews of Col. David Crosby (see Hickson, *Irish Massacres*, ii, p. 121).

METROPOLITAN BOROUGH * OF BETHNAL GREEN *
OCT. 1921